

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.No.23406 of 2017  
and W.M.P.No.24534 of 2017

A.Thangaraj

... Petitioner

Vs.

District Magistrate and Collector,  
Kancheepuram District,  
Kancheepuram.

...Respondents

Prayer :

Writ petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing respondent to consider the representation dated 26.08.2017 to visit the Nallur Colony and enquire the loss of houses and other belonging and restore the same forthwith under the Prevention of SC/ST Atrocity Act 1989 of this writ petition.

For Petitioner : Mr.R.Sankarasubbu

For Respondent : Mr.M.Mohamed Riyaz  
Additional Public Prosecutor

O R D E R

The writ petition has been filed to direct respondent to consider the representation dated 26.08.2017 seeking compensation.

2. It is seen that the petitioner lodged a complaint and the same has been registered in Crime No.358 of 2017 on the file of the Inspector of Police, Sadras Police Station, Kancheepuram District as against the accused persons for the offences under Sections 147, 148, 294(b), 448, 323, 324 & 506 (ii), 307 I.P.C and 3(1), 3(2), 3(2)(ii), 3(4), 3(5) of Prevention of SC/ST Atrocity Act 1989. Pending investigation the petitioner submitted the representation dated 26.08.2017 seeking compensation for the crime committed by the accused persons.

3. It is also seen that there is no acknowledgment for receipt of the representation by the respondent. That apart, the crime is still pending as against the accused persons. If at all any crime is proved as against the accused persons, the petitioner can seek compensation as against the accused persons. Therefore, he cannot claim compensation before the respondent. As such this writ petition is devoid of merits.

4. Accordingly, this writ petition is dismissed. Consequently, connected miscellaneous petition is closed. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

pds/lok

To

1. The District Magistrate and Collector,  
Kancheepuram District,  
Kancheepuram.
2. The Public Prosecutor,  
High Court of Madras.

W.P.No.23406 of 2017  
and W.M.P.No.24534 of 2017

EV(CO)  
CS/20/05/2019

सत्यमेव जयते

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