

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.03.2019

CORAM :

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.No.17004 of 2017

H.Hemamalini

... Petitioner

Vs.

1. The District Collector,
Office of the District Collector,
Chennai - 600 001.

2. State rep. by Inspector of Police,
Chithode Police Station,
Erode District.

... Respondents

Prayer :

Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to direct the first respondent to grant compensation to the petitioner by the petitioner's representation dated 15.05.2017.

For Petitioner : Mr.B.Chandran

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

O R D E R

This writ petition has been filed to direct the first respondent to grant compensation to the petitioner by considering the petitioner's representation dated 15.05.2017.

2. It is seen that the petitioner's son died in a road accident and in this regard, a case has been registered in Crime No.47 of 2017 on the file of the second respondent police for the offences under Sections 279, 337, 304(A) of IPC. It is also seen that there is offending vehicle, as stated in the FIR. After completion of investigation, a charge sheet has been filed in C.C.No.128 of 2017 on the file of the learned Judicial Magistrate No.III, Erode and the same is pending for trial. While being so, the petitioner has made a representation dated 15.05.2017, to the first respondent seeking compensation. When the petitioner's son died in the accident and the offending

vehicle has also to be fixed for liability, the petitioner cannot claim compensation from the District Collector. The petitioner has to file a claim petition before the appropriate Court. Therefore, the prayer sought for in this petition is devoid of merits and it cannot be considered by this Court.

3. Accordingly, this Writ Petition stands dismissed. No costs.

Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

rts

To

1. The District Collector,
Office of the District Collector,
Chennai - 600 001.
2. The Inspector of Police,
Chithode Police Station,
Erode District.
3. The Public Prosecutor,
High Court, Madras.

W.P.No.17004 of 2017

CS/27/06/2019

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