



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE **G.R.SWAMINATHAN**

WEB COPY

W.P. (MD) No.6176 of 2019

M.Karuppiah

... Petitioner

Vs

- 1.The Director,
Land Welfare Scheme,
Chepauk, Chennai - 5.
- 2.The District Collector,
Trichy District, Trichy.
- 3.The Special Tahsildar,
Marungapuri,
Kallupatti Taluk,
Social Welfare Board,
Trichy District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to take necessary action to provide compensation under the Chief Minister Farmer Welfare Scheme on basis of Identity Card No.17/C/64/SF/MF/AL/150 issued by the 3rd respondent and in the light of G.O.Ms. No.141, dated 24.02.2014 on the basis of the petitioner's representation dated 20.02.2018 within a stipulated time that may be fixed by this Court.

For Petitioner : Mr.A.Azhageson

For Respondents : Mr.K.Mu.Muthu
Additional Government Pleader

ORDER

Heard the learned counsel on either side.

2.The writ petitioner's father died in an accident on 19.09.2016. In this regard Crime No.283 of 2016 was registered on the file of the Viralimalai Police Station, Pudukottai District. The petitioner wants the respondents to disburse compensation in terms of Chief Minister's Uzhavar Pathukappu Thittam. The petitioner's request was not considered on the ground that the claim was not made within six months. The circular issued in this regard clearly states that the claim should be made within six months from

the date of accident. The accident had taken place on 14.09.2015, the claim was made only on 18.08.2018. Therefore the petitioner's request was simply kept pending. That necessitated filing of this writ petition.

3. I am of the view that the time limit stipulated in G.O. need not be so strictly construed, as the object of the scheme is to give financial assistance to the affected family. Merely because, they did not approach within the time, they ought not to be denied compensation. Therefore, this Court directs the second respondent to consider the petitioner's representation, dated 22.02.2019 on merits and in accordance with law and disburse the compensation to the legal heirs of the deceased, if the petitioner's case falls within the terms of Chief Minister's Uzhavar Pathukappu Thittam. It is made clear that the petitioner shall not be denied on the ground that the claim was not filed within time. The second respondent shall disburse the compensation to the legal heirs of the deceased within a period of twelve weeks from the date of receipt of a copy of this order.

4. The writ petition stands allowed. No costs.

Sd/-

Assistant Registrar

/ True Copy /

Sub Assistant Registrar(CS)

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To:

1. The Director,
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Chepauk, Chennai - 5.
2. The District Collector,
Trichy District, Trichy.
3. The Special Tahsildar,
Marungapuri, Kallupatti Taluk,
Social Welfare Board, Trichy District.

+1 CC to M/s.A.AZHAGESON, Advocate (SR-60702[F] dated 12/04/2019)

+1 CC to M/s.SPL GP (SR-61004[F] dated 15/04/2019)

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