



EFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.03.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

W.P. (MD) No.22680 of 2017

WEB COPY

- 1.M.Esakkimuthu
- 2.Aruna
- 3.Chermakannan

... Petitioners

Vs

- 1.The Secretary to Government,
Social Welfare Department,
St.George Fort,
Chennai.

- 2.The Secretary to Government,
School Education Department,
St.George Fort,
Chennai.

- 3.The District Collector,
Kanyakumari District,
Nagercoil.

- 4.The Superintendent of Police,
Kanyakumari District,
Nagercoil.

- 5.Christian Mission Service Children's Home,
Puthenkadai,
Thiruvattar,
Kanyakumari District.

...Respondents.

PRAYER : Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to award a compensation of Rs.10,00,000/- (Rupees Ten Lakhs only) with interest at 12% by considering the petitioner's representation dated 29.06.2009, 30.07.2009, 24.01.2011, 14.02.2014, 18.02.2014, 30.06.2014, 24.03.2015, 03.08.2016, 19.08.2016, 04.09.2016 for the death of the petitioner's son namely "Ponnisai".

For Petitioners : Mr.V.Meenakshi Sundaram
for Mr.N.Sivakumar

For R1 to R4 : Mrs.S.Srimathy
Special Government Pleader

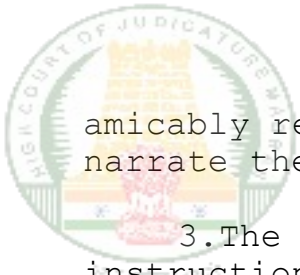
For R5 : Mr.M.Vivekanandan

ORDER

Heard the learned counsel on either side.

<https://hcservices.ecourts.gov.in/hcservices/>

2.Since the issue regarding payment of compensation has been



amicably resolved between the parties, this Court does not intend to narrate the antecedent facts.

3.The learned counsel appearing for the fifth respondent on instructions states that the fifth respondent will pay a sum of Rs.1,00,000/- each to the second petitioner Aruna and the third petitioner Chermakannan within a period of four weeks from the date of receipt of a copy of this order.

4.If the agreed amount is not disbursed within the said period of four weeks, it would carry interest at the rate of 6% per annum from the date of arising of the cause of action. This default clause has been incorporated in order to ensure that the compromise arrived at between the parties is honoured.

5.This writ petition is allowed in these terms. No costs.

Sd/-

Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

To

1.The Secretary to Government,
Social Welfare Department,
St.George Fort,
Chennai.

2.The Secretary to Government,
School Education Department,
St.George Fort,
Chennai.

3.The District Collector,
Kanyakumari District,
Nagercoil.

4.The Superintendent of Police,
Kanyakumari District,
Nagercoil.

+1cc to M/S.M.Vivekanandan, Advocate, SR.No.55006

+1cc to Mr.N.Sivakumar,Advocate, SR.No.54910

+1cc to Special Government Pleader, SR.No.

W.P. (MD)No.22680 of 2017

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SP/29.03.2019/ 2P/8C