



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 21.11.2019
CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM
and
THE HONOURABLE MRS.JUSTICE R.THARANI

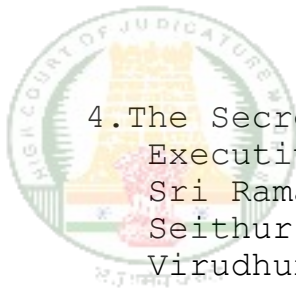
W.A. (MD)Nos.1359 to 1362 of 2019
and

C.M.P. (MD)Nos.11418 to 11420, 11427,
11431, 11434 and 11435 of 2019

- 1.The State of Tamil Nadu,
Rep.by its Secretary to Government,
Education, Science and Technology Department,
Fort St.George, Chennai-600 009.
 - 2.The Director of School Education,
Madras-600 008.
 - 3.The District Collector,
Virudhunagar.
 - 4.The Chief Educational Officer,
Virudhunagar.
- ... Appellants

Vs.

- | | |
|-----------------|---|
| 1.C.Niraru | .. 1 st Respondent in W.A.(MD)No.1359 / 19 |
| 1.Karuppiah | .. 1 st Respondent in W.A.(MD)No.1360 / 19 |
| 1.Singaraj | .. 1 st Respondent in W.A.(MD)No.1361 / 19 |
| 1.N.Balamurugan | .. 1 st Respondent in W.A.(MD)No.1362 / 19 |
- 2.The Headmaster,
Sri Rama Elementary School,
Seithur, Rajapalayam Taluk,
Virudhunagar District.
 - 3.The President,
Executive Committee,
Sri Rama Elementary School,
Seithur, Rajapalayam Taluk,
Virudhunagar District.



4.The Secretary,
Executive Commitee,
Sri Rama Elementary School,
Seithur, Rajapalayam Taluk,
Virudhunagar District.

.. 2 to 4 Respondents in all appeals

COMMON PRAYER: Writ Appeal is filed under Clause 15 of the Letter Patent Act, to set aside the order made in W.P.(MD)No.8644, 8369, 8285 & 10476 of 2005, dated 17.09.2008 on the file of this Court and allow this writ appeal.

Prayer in WP(MD). 8644/ 2005 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a writ in the nature of writ of Mandamus or any other appropriate writ or direction to direct the respondents to make a payment of Rs.200000/- as compensation to the petitioner in respect of death of his child namely karupasamy on 29/04/2005 with reasonable rate of interest and pass such further or other orders.

Prayer in WP(MD). 8369/ 2005 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of mandamus, direct the respondents to make a payment of Rs.2,00,000/- as compenszation to the petitioner in respect of death of his child named Mariappan on 29/04/05 with reasonable rate of interest

Prayer in WP(MD). 8285/ 2005 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court Tol issue a Writ of Mandamus, direct the respondents to make a payment of Rs.2,00,000/- as compensation to the petitioner in respect of death of his child named Ganapathy @ Chinnapar on 29/04/05, with reasonable rate of interest

Prayer in WP(MD). 10476/ 2005 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus, to direct the respondent to make a payment of Rs. 2,00,000/- as compensation to the petitioner in respect of death of hid chile named Gopinath on 01/05/05, with reasonable rate of interest and pass such further other orders and thus render justice.

For Appellant : Mrs.S.Srimathy
Special Government Pleader

For R1 : Mr.M.Jothi Basu

For R2 to R4 : No Appearance



COMMON JUDGMENT

[Judgment of this Court was made by **T.S.SIVAGNANAM, J.**]

Heard Mrs.S.Srimathy, learned Special Government Pleader appearing for the appellants and Mr.M.Jothi Basu, learned counsel appearing for the first respondent in all appeals. By consent on either side, these writ appeals are taken up for final disposal.

2. These appeals have been filed against the order and direction issued in W.P.(MD)No.8644, 8369, 8285 & 10476 of 2005, dated 17.09.2008

3. It is submitted by the learned counsel for the respondent / writ petitioner that these writ appeals have become infructuous, in the light of the subsequent developments. It is submitted that the respondent School management had filed writ appeal against the very same issue in W.A.(MD)Nos.60 to 63 and 299 of 2009, which were clubbed along with W.A.(MD)No.5414 to 5416 of 2010 and the writ appeals filed by the Management were dismissed and the writ petitions were disposed of by directing payment of the amount ordered as compensation.

4. It is further submitted that the learned counsel for the respondent / writ petitioner that the amount has been deposited and the same has already been withdrawn by the respective writ petitioners. Thus, following the decision of the Hon'ble Division Bench of this Court in W.A.(MD)Nos.60 to 63 and 299 of 2009 dated 10.06.2016 and taking note of the subsequent development, these appeals are dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

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To

1.The Secretary to Government,
State of Tamilnadu,
Education, Science and Technology Department,
Fort St.George, Chennai-600 009.



2.The Director of School Education,
Madras-600 008.

3.The District Collector,
Virudhunagar.

4.The Chief Educational Officer,
Virudhunagar.

ORDER MADE IN
W.A. (MD)Nos.1359 to 1362 of 2019
21.11.2019

MK (03.01.2020) 4P 5C