



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.04.2019

CORAM

THE HONOURABLE MR. JUSTICE B.PUGALENDHI

W.P. (MD) .5807 of 2013
and M.P. (MD) .No.1 of 2013

WEB COPY

A.Rajesh Guru

.. Petitioner

Vs.

1.The Secretary to the Government of Tamilnadu (Home)
St. George Fort. Chennai.

2.The Director General of Police,
Chennai.

3.The District Collector,
Sivagangai District, Sivagangai.

4.The Superintendent of Police,
Sivagangai District, Sivagangai.

5.The Assistant Superintendent of Police,
Ramnagar, Devakottai,
Sivagangai District.

6.The Revenue Divisional Officer,
Ramnagar, Devakottai,
Sivagangai District.

7.The Tahsildar,
Ramnagar, Devakottai,
Sivagangai District.

8.The Inspector of Police,
Taluk Police Station,
Devakottai, Sivagangai District.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, for issuance of writ of Mandamus directing the respondents 3 and 4 to provide the compensation of Rs.2,00,000/- (Rupees Two Lakhs only) and to pay all the medical expense for the treatment, by considering the petitioner's representation, dated 06.04.2013.

For Petitioner : Mr.S.Muthukumar

For Respondents : Mr.R.Anandaraj.

Additional Public Prosecutor

**ORDER**

This writ petition is filed for issuance of writ of Mandamus directing the respondents 3 and 4 to provide a compensation of Rs.2,00,000/- (Rupees Two Lakhs only) towards the medical expenses for the treatment taken by the petitioner, by considering the representation of the petitioner, dated 06.04.2013.

2. According to the petitioner, during the festival at Kottur Village, a bullock cart race was conducted by the functionaries on 03.04.2013 and the petitioner had also witnessed the Bullock cart race. The respondent police in the guise of regulating the crowd, has brutally attacked the petitioner, due to which the petitioner suffered a fracture on his leg and underwent a surgery for the same and incurred a medical expenses up to Rs.2,00,000/-. Therefore, he seeks compensation of Rs.2,00,000/- from the respondents 3 to 4.

3. The learned Additional Public Prosecutor would submit that this petition has been filed without even arraying the concerned Inspector of Police in the individual capacity and moreover, it is a matter of evidence which cannot be decided in the writ petition.

4. As rightly pointed out by the learned Additional Public Prosecutor, the concerned Inspector of Police has not been arrayed on the individual capacity and further the issue with regard to the compensation can be decided only by a competent Civil Court, on appreciation of evidence.

5. In that view of the matter, this writ petition stands dismissed, with liberty to the petitioner to approach the competent Civil Court. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

/ True Copy /

Sub Assistant Registrar (CS)

To

1. The Secretary to the Government of Tamilnadu (Home)
St. George Fort., Chennai.

2. The Director General of Police,
Chennai.

3. The District Collector,
<https://hcservices.ecourts.gov.in/hcservices/>
Sivagangai District, Sivagangai.



4.The Superintendent of Police,
Sivagangai District, Sivagangai.

5.The Assistant Superintendent of Police,
Ramnagar, Devakottai,
Sivagangai District.

6.The Revenue Divisional Officer,
Ramnagar, Devakottai,
Sivagangai District.

7.The Tahsildar, Ramnagar,
Devakottai, Sivagangai District.

8.The Inspector of Police,
Taluk Police Station,
Devakottai, Sivagangai District.

+1 CC to M/s.S.MUTHUKUMAR, Advocate (SR-60013[F] dated 09/04/2019)

W.P. (MD) .5807 of 2013
05.04.2019

TM
ES/KK/23.04.2019/3P/10C