

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.03.2020

CORAM

THE HONOURABLE Mrs. JUSTICE PUSHPA SATHYANARAYANA

W.P. No.20894 of 2013

D.Ellappan

.. Petitioner

Versus

1. The Chief Secretary,
State of Tamil Nadu
Secretariat,
Chennai 600 009.

2. The Home Secretary,
State of Tamil Nadu,
Secretariat,
Chennai 600 009.

3. The Commissioner of Police,
Chennai Greater City,
Egmore, Chennai 600 008.

4. The Inspector of Police,
R-9, Valasaravakkam Police Station,
Chennai 600 087.

5. MBDL Company,
Selva Street,
Valasaravakkam,
Chennai 600 087

... Respondents

Writ petition filed under Article 226 of the Constitution of India praying for a Writ of Mandamus directing the respondents 1 to 3 to take necessary action on the petitioner's representation dated 09.07.2013.

For Petitioner : Mr.A.Ramesh Manikandan

For Respondents : Ms.K.Bhuvaneswari,
1 to 4 Additional Government Pleader

For Respondent-5 : Served-No Appearance

ORDER

This Writ Petition has been filed seeking for the issuance of a Writ of Mandamus, directing the respondents 1 to 3 to take necessary action on the petitioner's representation dated 09.07.2013.

2. It is the case of the petitioner that his mother, Rani worked in the fifth respondent-Company in packing section for a period of three years. He came to know through the Supervisor of the Company that his mother died on 22.08.2010 at 12.noon due to food poison. When the petitioner went to hospital along with his family members, they found that there was a grievous injury in his mother's head and the Doctor told that the death happened only due to accident. The Post Mortem Report dated 23.08.2010 would clearly show that the death occurred only due to head injury and neck fracture. The Forensic Science Department's letter dated 30.09.2010 also states that there is no poison detected on her body. However, the fatal death was modified as food poison death with mala-fide intention. Hence, the petitioner made a representation dated 02.07.2013 to the respondents seeking compensation for her mother's death. But, till date no action was taken.

3. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for respondents 1 to 4 and perused the materials available on record.

4. Considering the facts and circumstances of the case and the submissions made on either side, this Court, without expressing any opinion on the merits of the case, directs the third respondent to take necessary action and consider the representation of the petitioner dated 09.07.2013 and pass appropriate orders, on merits and in accordance with law, after issuing notice to the petitioner and the persons interested in this regard and also affording them an opportunity of personal hearing, within a period of eight weeks from the date of receipt of a copy of this order.

5. With the above directions, this writ petition stands disposed of. No costs.

6. Post the matter on 02.06.2020 'for reporting compliance'.

Sd/-
Assistant Registrar(CS-III)

//True copy//

Sub Assistant Registrar

srn

To

1. The Chief Secretary,
State of Tamil Nadu
Secretariat,
Chennai 600 009.

2. The Home Secretary,
State of Tamil Nadu,
Secretariat,
Chennai 600 009.

3. The Commissioner of Police,
Chennai Greater City,
Egmore, Chennai 600 008.

4. The Inspector of Police,
R-9, Valasaravakkam Police Station,
Chennai 600 087.

+1cc to Mr.A.Ramesh Manikandan, Advocate SR.No.19949

+2cc to Government Pleader SR.No.20660, 21167

W.P. No.20894 of 2013

CNR(CO)
GMY(11/05/2020)

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