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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20-09-2021

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

WP No.14257 of 2016

And

WMP Nos.12452 and 12453 of 2016

Pachiammal

...Petitioner

VS.

- 1.Union of India,
Ministry of External Affairs and Ministry
of Overseas Indian Affairs,
Consular Section, Represented by its Secretary,
Akbar Bhawan Ministry of External Affairs,
Chanakyapuri,
New Delhi - 21.
- 2.The Home Secretary,
Government of Tamil Nadu,
St. George Fort,
Chennai - 600 009.
- 3.The Principal Secretary/Commissioner,
Commissioner of Rehabilitation and Welfare of
Non-Resident Tamils,
Chepauk, Chennai - 600 005.
- 4.The District Collector,
Collectorate,
NH 234, Vengikkal,
Tiruvannamalai,
Tamil Nadu - 606 604.

...Respondents

Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondents 1 to 4 herein to conduct



detailed enquiry as to the suspicious cause of death of the petitioner's husband namely Late Sampath Chinnathambi in Riyadh and consequently, direct the respondents to take steps to bring the dead body from Riyadh to Tamil Nadu and hand over the dead body to the petitioner.

For Petitioner : Mr.R.Sathishkumar

For Respondent-1 : Mr.J.Madanagopal Rao,
Senior Central Government
Standing Counsel.

For Respondents-2 to 4 : Mr.K.M.D.Muhilan,
Government Advocate.

O R D E R

The relief sought for in the present writ petition is to direct the respondents 1 to 4 to conduct a detailed enquiry as to the suspicious cause of death of the petitioner's husband namely Late Sampath Chinnathambi in Riyadh and consequently, direct the respondents to take steps to bring the dead body from Riyadh to Tamil Nadu and hand over the dead body to the petitioner.

2. The learned Senior Central Government Standing Counsel, appearing on behalf of the first respondent, made a submission that the Ministry of External Affairs had taken immediate steps and the dead body of the petitioner's husband was brought from Riyadh to Tamil Nadu and the same was handed over to the family of the petitioner.

3. Further steps were taken by the Ministry of External Affairs with the Embassy of Riyadh and a sum of Rs.1,74,911/- was granted by way of compensation to the family of the petitioner.

4. It is a case of suicide as per the information provided by the Investigating Agency of the Riyadh Government and therefore, the issues as raised are certain in nature.

5. This Court is of the considered opinion that the cause of death was already informed by the Foreign Government and the



first respondent cannot conduct any further enquiry in respect of the death caused within the territorial jurisdiction of the Riyadh.

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6. The first respondent has taken note of the fact that the person died is an Indian citizen by origin, has handed over the body and take necessary steps and further the compensation was also paid to the family of the petitioner.

7. This being the factum, no further relief can be granted by this Court and accordingly, the writ petition stands disposed of. However, there shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar (CS-VII)

// True Copy //

Sub Assistant Registrar

Svn

To

1. The Secretary,
Union of India,
Ministry of External Affairs and Ministry
of Overseas Indian Affairs,
Consular Section,
Akbar Bhawan Ministry of External Affairs,
Chanakyapuri, New Delhi - 21.
2. The Home Secretary,
Government of Tamil Nadu,
St. George Fort, Chennai - 600 009.
3. The Principal Secretary/Commissioner,
Commissioner of Rehabilitation and Welfare of
Non-Resident Tamils,
Chepauk,
Chennai - 600 005.



4.The District Collector,
Collectorate,
NH 234, Vengikkal,
Tiruvannamalai,
Tamil Nadu - 606 604.

+1cc to the Government Pleader SR.No.48612

W.P.No.14257 of 2016

PVS(CO)
RVM(12/10/2021)