



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.10.2021

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P. No.6468 of 2021

Vidiyal People Welfare Foundation,
represented by its Managing Director,
A. Murugesan, having its office at
D.No.1-2-237A, Urnatham,
Chinnathanda, Salem District.

... Petitioner

versus

1. The Chief Secretary to Government
of Tamilnadu, St. George Fort,
Chennai -09.

2. The Chairperson,
The National Human Rights Commission,
Manav Adhikar Bhawan,
Block-C, GPO Complex,
New Delhi 110 023.

3. The Chairperson,
State Human Rights Commission,
Bishop Garden Street,
Raja Annamalai Puram,
Chennai 600 028.

... Respondents

Prayer: The Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus, directing the first respondent to consider the representation of the petitioner Association dated 16.2.2021.

For Petitioner : Mr. Uday

For Petitioner : Mr. G.Krishnaraja,
Govt. counsel for R1 & R3



ORDER

According to the petitioner Association, it was established on 10.02.2021 with an object to promote the welfare of the people suffered during the search of sandalwood smuggler Veerappan by the Security Task Force police personnels of Tamilnadu and Karnataka. Since STF staffs made large scale harassment to the villagers and Tribals living in the border areas of Tamil Nadu and Karnataka by gross violation of their human rights, various complaints have been lodged before the Human Rights Commission, which in turn, constituted a panel consisting of the Hon'ble Mr. Justice A.J.Sadhashiva, former Judge of Karnataka High Court and Mr.C.V.Narasimhan, former CBI Director to enquire into the matter. After enquiry, the panel submitted its report on December 1, 2003 before the Human Rights Commission. Subsequently, as directed by the Commission, the said report was forwarded to the two state Governments for their comments. Upon receipt of the same, the Commission directed the two Governments to pay compensation to the victims. Accordingly, the two State Governments announced interim reliefs to the affected victims depending on the atrocities. Pursuant to the same, the panel released a victim list of 89 persons to be compensated by way of interim relief. Based on the recommendation of the National Human Rights Commission, the 89 members of the petitioner Association were paid with Rs.2,80,00,000/- as an interim relief.

2.It is the grievance of the petitioner Association that the interim relief of Rs.2,80,00,000/- granted in the year 2007 was not sufficient to the members of petitioner Association, who suffered permanent disability, assault, application of electric current, due to their loss of earning capacity, on account of various atrocities by JSTF. Pointing out the same, the petitioner Association gave a representation on 16.02.2021 to the first respondent to grant further compensation and also provide them job opportunities. However, the same is kept pending without any action. Therefore, the petitioner Association has come up with this writ petition seeking appropriate direction to the first respondent in this regard.

3.The learned counsel for the petitioner submitted that the Governments of Tamil Nadu and Karnataka have already released Rs.5 crores each towards payment of compensation to the victims



vide G.O.Ms.No.928 dated 26.08.2000 and HD.389 SST 2000 dated 26.08.2000, as per the direction of the National Human Rights Commission. But, the victims were paid only a sum of Rs.2,80,00,000/- by way of interim relief. Therefore, the first respondent be directed to consider the representation of the petitioner Association seeking further compensation and other relief.

4.On the other hand, the learned Government counsel appearing for the respondents 1 and 3, fairly submitted that the first respondent would consider the claim of the petitioner on merits and pass appropriate orders, within a reasonable time to be fixed by this court.

5.Since the issue involved herein is with regard to payment of reasonable compensation to the affected persons at the time of searching Sandal Wood Smuggler Veerappans and taking note of the submissions made by the learned counsel on either side, this court directs the first respondent to consider the representation of the petitioner Association dated 16.02.2021 and pass appropriate orders on merits and in accordance with law, after affording an opportunity of hearing to the petitioner, within a period of four weeks from the date of receipt of a copy of this order.

6.The Writ Petition stands disposed of accordingly. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

msr

To

1. The Chief Secretary to Government
of Tamilnadu, St. George Fort,
Chennai -09.



2. The Chairperson,
The National Human Rights Commission,
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Block-C, GPO Complex,
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3. The Chairperson,
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Bishop Garden Street,
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Chennai 600 028.

+1cc to M/s.Karan and Uday, Advocate, S.R.No.53792
+1cc to the Government Pleader, S.R.No.53910

W.P. No.6468 of 2021

VSNII(CO)
SB(10/11/2021)