



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.09.2021

CORAM:

THE HON'BLE MR. JUSTICE S.M.SUBRAMANIAM

WP No.230 of 2016

Mr.V.P.Raman

....Petitioner

Vs

- 1 The Government of Tamilnadu,  
Rep. by Secretary to Education Department,  
Fort St. George,  
Chennai-9.
- 2 The Director,  
Directorate of Matriculation School Education,  
Nungambakkam,  
Chennai-6.
- 3 The District Education Officer,  
Salem District,  
Salem.
- 4 The Director General of Police,  
Director General of Police Office,  
Beach Road,  
Chennai.
- 5 The Inspector General of Police,  
State Crime Investigation Department,  
Egmore,  
Chennai.
- 6 The District Collector,  
Salem District,  
Salem.
- 7 Mr.Selvaraj,  
The Inspector of Police,  
Theevattipatti Police Station,  
Omalur Taluk,  
Salem District.



8 Mr.Asokan  
The Head Master,  
Mount Shervaroy Matriculation School,  
Poosaripatti, Omalur Taluk,  
Salem District.

9 G.Akila

10 M.Kalaipriya

11 R.Roshini

....Respondents

PRAYER: This Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the Respondents to pay the compensation of Rs. 50 lakhs jointly or severally to the petitioner for the death of his grandson Nanjil Valavan due to the negligence of the Respondents 8 to 11 as per the representation of the petitioner dated 25.09.2015.

For Petitioner : Mr.M.Balaji  
for Mrs.Madhuri Dondi Reddy

For Respondents: Mr.V.Veluchamy (for R1 to R6)  
Government Advocate

Mr.M.Deva Raj (for R8 to R11)  
No appearance (for R7)

#### O R D E R

The relief sought for in the present writ petition is to direct the respondents to pay the compensation of Rs.50 lakhs jointly and severally to the petitioner for the death of his grandson Nanjil Valavan, due to the negligence of the respondents as per the representation of the petitioner dated 25.09.2015.

2. The learned counsel appearing on behalf of the respondents 8 to 11 made a submission that it is a case of an accident and already a criminal case was registered and a charge sheet was also filed by the Theevattipatti Police Station in Cr. No.615 of 2008 under Section 336, 297, 304(A) IPC and Section 3 (1), 181, 39 r/w 192 and 146 of Motor Vehicles Act.

3. It is not in dispute that the criminal trial is in progress. The respondents say it is a case of an accident. The petitioner contends that the accident occurred due to the lapses committed by the school authorities. Under these circumstances,



this Court is not in a position to ascertain the liability, as the criminal case is pending before the competent Court of law. Thus, the petitioner is at liberty to initiate all appropriate action after the disposal of the criminal case now pending before the criminal court of law.

4. With this liberty, the writ petition stands disposed of. No Costs.

Sd/-  
Assistant Registrar(CS-V)

//True Copy//

Sub Assistant Registrar

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To

- 1 The Secretary to Education Department,  
Government of Tamilnadu,  
Fort St. George, Chennai-9.
- 2 The Director,  
Directorate of Matriculation School Education,  
Nungambakkam, Chennai-6.
- 3 The District Education Officer,  
Salem District, Salem.
- 4 The Director General of Police,  
Director General of Police Office,  
Beach Road, Chennai.
- 5 The Inspector General of Police,  
State Crime Investigation Department,  
Egmore, Chennai.
- 6 The District Collector,  
Salem District, Salem.

+1cc to Mr.Devaraj, Advocate, S.R.No.47727

WP No.230 of 2016

MG(CO)  
RGA(20/10/2021)