

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.06.2021

CORAM :

THE HON'BLE MR.SANJIB BANERJEE, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.No.12453 of 2021

J.Brezhnev

.. Petitioner

Vs.

- 1.The State of Tamil Nadu,
rep. by its Chief Secretary,
Health, Medical Education and Family Welfare,
Fort St. George,
Chennai - 600 009.
- 2.The Tamil Nadu Public Health Department,
State Executive Committee,
State Disaster Management Authority,
Fort St. George,
Chennai - 600 009.
- 3.The Tamil Nadu Advocates Welfare Trust Committee,
rep. by its Chairman,
Madras High Court Complex,
Chennai - 600 104.
- 4.The Bar Council of Tamil Nadu and Puducherry,
rep. by its Chairman,
Madras High Court Complex,
Chennai - 600 104.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus directing the first respondent to consider the representation provided by the fourth respondent on 22.05.2021 and to award adequate compensation to the dependents or family members of the deceased advocates registered as per the Bar Council of India Rules and not joined as members of Tamilnadu Advocates Welfare Fund Act, 1987 and consequently direct the first respondent to set appropriate guidelines for including advocates and provide their family members under the "Tamilnadu Chief Minister's Comprehensive

Health Insurance Scheme" considering them as Frontline workers within a time period fixed by this Hon'ble Court.

For Petitioner : Mr.Devasenathipathy
for M/s.Nathan and Associates

For Respondents : Mr.P.Muthukumar
Counsel for the State of Tamil
Nadu
(Respondent Nos.1 and 2)

ORDER

(Order of the Court was made by The Hon'ble Chief Justice)

The petitioner seeks compensation for dependents or heirs of deceased advocates, particularly those who were victims of Covid-19.

2. It is a matter of policy for the State to decide whether to give compensation to a class of persons and to what extent. There is no doubt divers classes of people will be seeking compensation and it is a matter within the exclusive domain of the State. The Court cannot pick and choose advocates for preferential treatment because most functionaries in this field are advocates.

3. W.P.No.12453 of 2021 is disposed of by leaving the petitioner and others of his kind free to approach the State and for the State to take a considered decision in such regard in accordance with law.

There will be no order as to costs.

-s/d-

Assistant Registrar(CCC)

True Copy

Sub-Assistant Registrar

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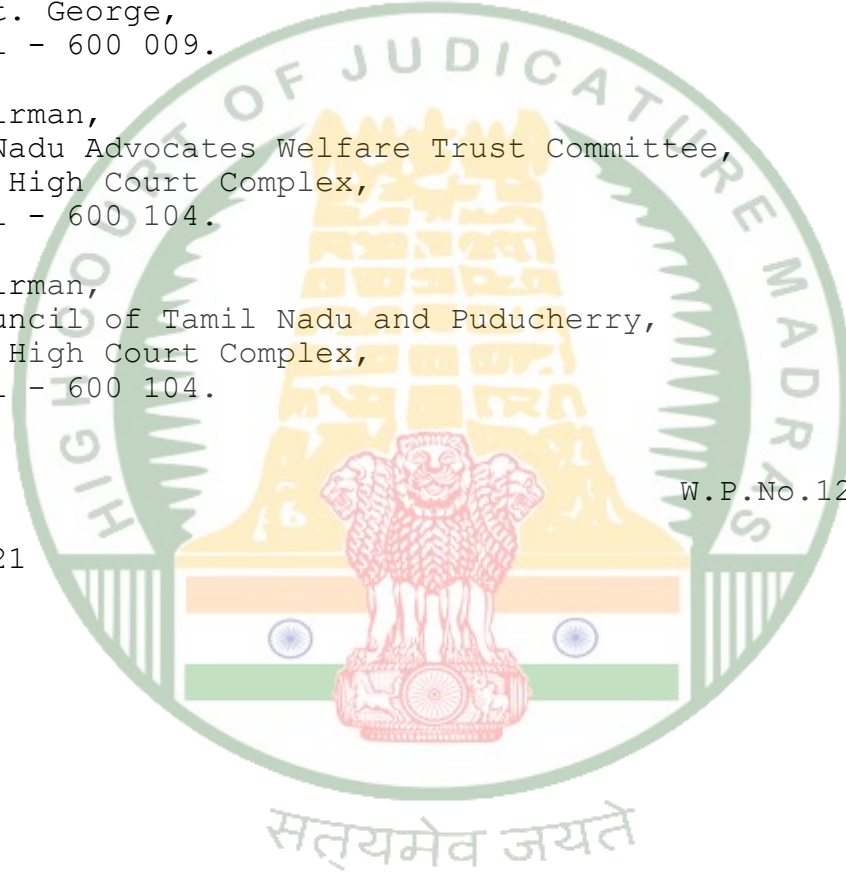
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To

- 1.The Chief Secretary,
State of Tamil Nadu,
Health, Medical Education and Family Welfare,
Fort St. George,
Chennai - 600 009.
- 2.The Tamil Nadu Public Health Department,
State Executive Committee,
State Disaster Management Authority,
Fort St. George,
Chennai - 600 009.
- 3.The Chairman,
Tamil Nadu Advocates Welfare Trust Committee,
Madras High Court Complex,
Chennai - 600 104.
- 4.The Chairman,
Bar Council of Tamil Nadu and Puducherry,
Madras High Court Complex,
Chennai - 600 104.

VBM(CO)
EU 8.6.2021

W.P.No.12453 of 2021



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