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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.06.2021

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THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.30147 of 2016

S.Padma ...Petitioner

Vs

1.The State of Tamil Nadu
Represented by its Secretary,
Home Department,
Fort St.George,
Chennai - 600 009.

2.The Commissioner of Police,
Chennai City,
Vepery,
Chennai - 600 007.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the first respondent to grant Ten Lakhs Rupees as compensation to the petitioner by considering the representation dated 10.06.2016 submitted to the respondents to secure the ends of justice.

For Petitioner : Mr.R.Sankarasubbu

For Respondents : Mr.G.Krishnaraja, GA

O R D E R

The present writ petition has been filed seeking a direction to the first respondent to consider the petitioner's representation dated 10.06.2016 with respect to grant of compensation.

2. According to the petitioner, on 16.09.2001, her husband by name Suyambu @ Suyambulingam was arrested in connection with a case in crime no.707/2001 on the file of Tuticorin South Police Station and was in illegal detention from 16.09.2001 to 22.09.2001. Subsequently, as per the order of this Court in H.C.P.No.122 of 2002, enquiry was conducted by the learned District and Sessions Judge, Tirunelveli, during the course of

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which, it was revealed that the detenue was subjected to custodial torture, as a result of which, he sustained grievous injuries all over his body. Thereafter, he died on 26.04.2008 due to the injuries sustained in the police custody. Hence, the petitioner made a representation dated 10.06.2016 to the first respondent seeking compensation of Rs.10,00,000/- for the death of her husband. Finding no response on the same, she has come up with this writ petition for the aforesaid relief.

3. Heard both sides and perused the materials placed before this Court.

4. Considering the facts and circumstances of the case and having regard to the submissions made by the learned counsel on either side, this Court directs the first respondent to consider the petitioner's representation dated 10.06.2016 if not already considered and pass appropriate orders, on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

5. This Writ Petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

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To

1.The Secretary, Home Department,
Fort St.George, Chennai - 600 009.

2.The Commissioner of Police,
Chennai City, Vepery,
Chennai - 600 007.

+1cc to the Government Pleader, S.R.No. 30798

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