

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.02.2021

CORAM

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. No.19846 of 2020

P.Shanmugasundaram

..Petitioner

Vs

1. The District Collector,
Office of the District Collectorate,
Nagapattinam District.

2. The Tahsildar,
Keezhvelur Taluk,
Nagapattinam District

..Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus, directing the respondents to sanction a sum of Rs.5 lakhs for the loss and damages sustained by the petitioner due to "GAJA CYCLONE", by considering his representation dated 03.12.2018 in accordance with law and within a time frame that may be fixed by this Court.

For petitioner... Mr.R.Kuyilan

For respondents... Mr.V.Shanmugasundar
Special Government Pleader

ORDER

Heard Mr.Kuyilan, learned counsel for the petitioner and Mr.V.Shanmugasundar, learned Special Government Pleader accepts notice on behalf of the respondents.

2. By consent of both the parties, this Writ Petition is taken up for final disposal.

3. This Writ Petition has been filed for a mandamus seeking for a direction to the respondents to sanction a sum of Rs.5 lakhs to the petitioner for the loss and damages sustained by him on account of Gaja Cyclone by considering his representation dated 03.12.2018.

4. It is the case of the petitioner that on account of Gaja Cyclone in the year 2018, the entire tiled roof of his house was severely damaged and he lost many of his articles. According to him, G.O.Ms.No.310 dated 24.12.2018 enables the petitioner to claim compensation for the losses suffered by him on account of Gaja Cyclone. The petitioner has given a representation on 03.12.2018 to the respondents seeking for compensation under the aforementioned Government Order. Since the representation dated 03.12.2018 has not been considered, the petitioner has approached this Court.

5. The relief sought for in this writ petition is an innocuous one. No prejudice will be caused to the respondents, if the petitioner's representation dated 03.12.2018 is considered by them, in the light of G.O.Ms.No.310 dated 24.12.2018 within a time frame to be fixed by this Court. The petitioner claims that he suffered losses on account of Gaja Cyclone, which happened in the year 2018. Therefore, the petitioner's representation will have to be considered expeditiously for the reasons stated in the affidavit filed in support of this Writ Petition.

6. For the foregoing reasons, this Court directs the second respondent to consider the petitioner's representation dated 03.12.2018 seeking for compensation for the damages caused to his house as well as other articles on account of Gaja Cyclone which happened in the year 2018, in the light of G.O.Ms.No.310 dated 24.12.2018 and pass final orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

7. With the aforesaid direction, this writ petition stands disposed of. No costs.

s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

srn

To

1. The District Collector,
Office of the District Collectorate,
Nagapattinam District.

2. The Tahsildar,
Keezhvelur Taluk,
Nagapattinam District

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PP (CO)
SP (09/03/2021)



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