

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.01.2021

C O R A M

THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

W.P.No.3299 of 2017

K.Maruthambal

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Petitioner

Vs.

- 1.The District Collector,
Cuddalore District at Cuddalore.
- 2.The District Revenue Officer,
O/o. The Collectorate, Cuddalore.
- 3.The Revenue Divisional Officer,
Divisional Office, Virudhachalam.
- 4.The Tahsildar,
O/o. The Tahsildar, Vepur, Cuddalore.... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, for issuance of a writ of mandamus directing the respondents to forthwith disburse the compensation amount of Rs.30,000/- as sanctioned for the death of the cow due to natural calamity, on the basis of the representation dated 18.11.2016.

For Petitioner :Mr.L.Chandrakumar

For Respondents :Mr.K.Parameshwaran
Government Advocate

सत्यमेव जयते
O R D E R

This writ petition has been filed for mandamus seeking for a direction to the respondents to forthwith disburse the compensation amount of Rs.30,000/- as sanctioned for the death of the cow due to natural calamity, based on the petitioner's representation dated 18.11.2016.

2. Heard Mr.L.Chandrakumar, learned counsel for the petitioner and Mr.K.Parameshwaran, learned Government Advocate for the respondents.

3. Learned counsel for the petitioner drew the attention of this Court to the sanction order dated March 2016 wherein the

third respondent has sanctioned a sum of Rs.30,000/- to the petitioner for the death of his cow due to natural calamities. Learned counsel for the petitioner also drew the attention of this Court to the counter affidavit filed by the fourth respondent before this Court and in particular, he referred to paragraph 6 therein.

4. Paragraph 6 of the counter affidavit filed by the fourth respondent reads as follows:

"6. Regarding Paragraphs 4 to 7 of the writ affidavit it is respectfully submitted that even after the completion of the Election process the fund allotment for the year under the "2245-Relief an account of Natural Calamities - 02 flood, cyclone etc800" has not yet been received. Hence the repeated representations made by the writ petitioner could not be considered. As and when the fund is received, the petitioner's claim will be considered."

As seen from the counter affidavit, the fourth respondent has not denied that the third respondent had sanctioned a sum of Rs.30,000/- as compensation for the death of petitioner's cow, due to natural calamities. The only submission made in the counter affidavit is that as and when the funds are received by the fourth respondent, the petitioner's claim for compensation for the death of Cow amounting to Rs.30,000/- will be considered.

5. The writ petition is filed in the year 2017. Counter affidavit has also been filed on 19.04.2017. The amount claimed by the petitioner towards compensation for the death of his cow due to natural calamities is a meagre amount. When the respondents have admitted their liability to pay the said sum, necessarily a direction will have to be issued to the fourth respondent to pay in terms of the prayer sought for in this writ petition.

6. Accordingly, this court directs the fourth respondent to pay a sum of Rs.30,000/- to the petitioner towards compensation amount payable to him for the death of his cow as per the sanction order dated March 2016 within a period of two weeks from the date of receipt of a copy of this Order. Accordingly, this writ petition is allowed. No costs.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

1.The District Collector,
Cuddalore District at Cuddalore.

2.The District Revenue Officer,
O/o. The Collectorate, Cuddalore.

3.The Revenue Divisional Officer,
Divisional Office, Virudhachalam.

4.The Tahsildar,
O/o. The Tahsildar, Vepur, Cuddalore.

+1 cc to Mr.L.Chandrakumar Advocate srl493

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