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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.08.2021

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P.No.29314 of 2018
and
WMP.No.34260 of 2018

C.K.Nandhakumar

.. Petitioner

Vs.

1. The State of Tamilnadu rep.
by the Secretary to Government,
Home Department,
Fort St. George,
Chennai - 600 009.
2. The Director General of Police,
Kamarajar Road,
Mylapore,
Chennai - 600 004.
3. The District Collector,
Erode - 638 001,
Erode District.
4. The Superintendent of Police,
District Police Office,
Erode - 638 001,
Erode District.
5. The Inspector of Police,
Perundurai Police Station,
Perundurai - 638 052,
Erode District.
6. K.R.Senapathi @ Chinnakannu
7. T.C.Subramaniam @ Balki Mani
8. Thopu N.D.Venkatachalam
Member of Legislative Assembly,
Thoppupalayam,
Perundurai,
Erode District.



9. Rasu @ Chandrasekaran

.. Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India praying for issuance of Writ of Mandamus to direct the respondents 1 to 3 to pay the petitioner compensation of Rs.10 lakhs from the Tamilnadu Victims' Compensation Fund and provide safety to his life and liberty by ordering fair and thorough investigation against the respondents 6 to 9 by considering his representation dated 12.08.2018.

For Petitioner : Mr.N.Manokaran

For Respondent Nos. 1 to 5 : Mr.C.E.Pratap
Government Advocate (Crl.Side)

For Respondent Nos.6 & 7 : Mr.K.Elango

For Respondent No.8 : Mr.S.Sidhantta Vishnu

For Repondent No.9 : Mr.A.Sundaravadhanan

O R D E R

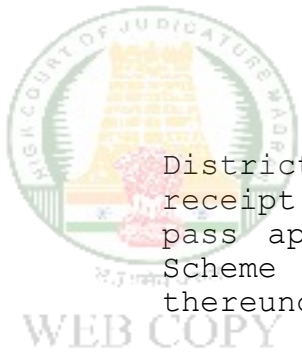
The matter relates to seeking of compensation from the Tamil Nadud Victims Compensation Fund . The petitioner, who indiscriminately attacked by the respondents 6 to 9, after his release on bail, from the prison, seeks relief from the Tamil Nadu Victims Compensation Fund , for which he has filed the Writ Petition with the above said prayer.

2. It is represented that the Government has formulated the Victim Compensation Scheme under Section 357-A of the Code of Criminal Procedure in G.O.(Ms.)No.1055, Home (Police.XII), dated 30.11.2013, whereby mechanism has been created for compensating the victims to mitigate their grievances, who have suffered loss or injury as a result of the crime and who require rehabilitation.

3. The learned counsel appearing for the petitioner on instructions, submitted that the petitioner is ready to go before the State or District Legal Services Authority, for appropriate relief, as guaranteed under the Victims Compensation Scheme, 2013.

4. This Court heard the submissions of the learned counsel appearing on both sides and perused the materials available on record.

5. In view of the formulation of the above said scheme, the petitioner is granted liberty to file appropriate application before the District Legal Services Authority, Erode



District, within a period of eight weeks from the date of receipt of a copy of this order and the said authority, shall pass appropriate orders, in terms of the Victims Compensation Scheme and after following the procedures contemplated thereunder.

6. The Writ Petition stands disposed of accordingly. No costs. Consequently connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-VI)

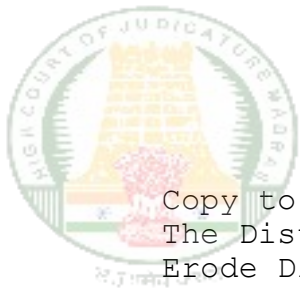
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Sub Assistant Registrar

sk

To

1. The Secretary to Government,
State of Tamilnadu
Home Department,
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Chennai - 600 009.
2. The Director General of Police,
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Perundurai - 638 052,
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6. Thopu N.D.Venkatachalam
Member of Legislative Assembly,
Thoppupalayam,
Perundurai,
Erode District.



Copy to:
The District Legal Services Authority
Erode District.

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+1cc to Mr.N.Manokaran, Advocate, S.R.No.40706

W.P.No.29314 of 2018

PL(CO)
CB(06/10/2021)