



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.02.2021

CORAM:

THE HONOURABLE MR.JUSTICE **M.M.SUNDRESH**

AND

THE HONOURABLE MRS.JUSTICE **S.ANANTHI****W.P. (MD) No.2801 of 2021**

WEB COPY

K.R.Raja

: Petitioner

Vs.

1.The State of Tamil Nadu,
Rep. by the Additional Chief Secretary,
Home (Prison) Department,
Government of Tamil Nadu,
Chief Secretariat, St.George Fort,
Chennai - 600 009.

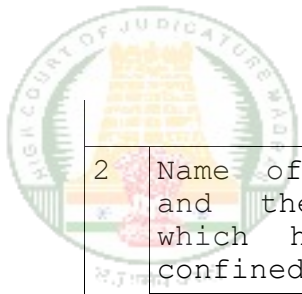
2.The Director General of Prisons and Correctional Services,
Tamil Nadu Prison Head Quarters,
No.6, Whennals Road,
Egmore,
Chennai - 600 008.

: Respondents

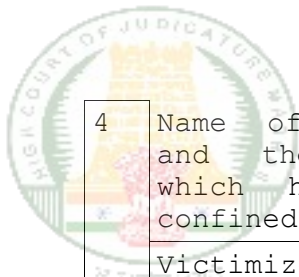
PRAYER: Writ Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus directing the respondents to take necessary steps

a) to disburse immediately the Victim Compensation Fund to 49 deserving victims who belongs to 21 families of crimes as mentioned below:

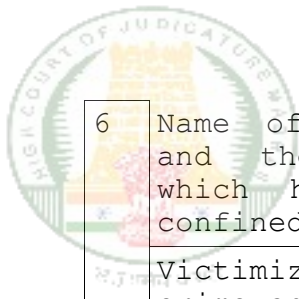
Madurai Central Prison		
1	Name of the Convict and the prison in which he / she is confined	Senkishan s/o Tajudeen aged 49 years (CP No.4960) life convict in Madurai Central Prison
	Victimized by the crime and its details	Wife Saharbanu Beevi murder case due to domestic dispute in 2008. The case details are crime no.73/2008 at Thirumangalam Town Police Station and CC/SC No:SC.186/2008 u/s 302, 498(a) IPC
	Name of the victims and their addresses	Three children are victims of this crime, namely, 1.Anish Fatima 18 years, (1) 2.Rasul Khan, 17 years, (2) 3.Muhamd Hussian, 14 years. (3) Address: 107, Muniyandi Kovil Street, Jawaharpuram, DRO Colony, K.Pudhur, Madurai - 625007. Mobile : 9943221814
	Date on which petition sent by the victims to seek victim compensation fund	13.05.2019
https://hcservices.ecourts.gov.in/hcservices/		Pending



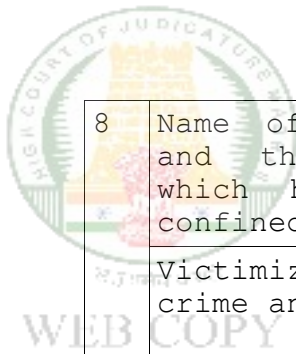
2	Name of the Convict and the prison in which he / she is confined	Mohammed Kalumudeen s/o Arif Rabbani aged 43 years (CP No.4925) had undergone life imprisonment since 2008 in Madurai Central Prison.
	Victimized by the crime and its details	Wife murder case due to domestic related dispute. The case details are crime no:48/2007 at Devipattinam Police Station and CC/SC No:SC.121/2007 u/s 302 IPC
	Name of the victims and their addresses	Two children are victims of this crime namely 1.Mohamed Shahideen, 14 years (4) 2.Sameera Jasmine, 12 years. (5) Address: 5/789, East Street, Panaikulam Village & Post, Mandapam Taluk, Ramanathapuram District - 623522. Mobile : 9486216663
	Date on which petition sent by the victims to seek victim compensation fund	10.09.2018
	Status	Pending
3	Name of the Convict and the prison in which he / she is confined	Karuppasamy s/o Mariappan (LCP No.5331) is aged 36 years, a life convict since 2013 in Madurai Central Prison.
	Victimized by the crime and its details	Wife murder case in the year 2009 (wife Nithya's self-immolation case converted into murder case) The case details are Crime No.140/09, Rajapalayam South Police Station, CC/SC No:SC.95/09 u/s 302 IPC
	Name of the victims and their addresses	Two children are victims of this crime namely 1.Atchaya.K 15 years (6) 2.Rekha.K 13 years (7) Address: 427, Sivagamipuram Street, Duraisampuram, Near Railway Station, Rajapalayam, Virudhunagar - 626117. Mobile:9566728817
	Date on which petition sent by the victims to seek victim compensation fund	09.03.2020
	Status	Pending



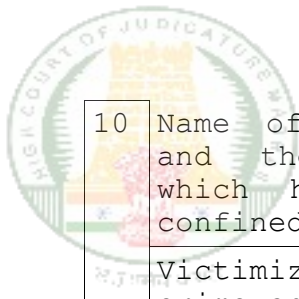
4	Name of the Convict and the prison in which he / she is confined	Thiruppathi s/o Sakkarai Asarai aged 49 years (CP No.5662) is undergoing life imprisonment since 2017 in Madurai Central Prison
	Victimized by the crime and its details	Wife Meenakshi murder case due to domestic dispute in 2014. The case details are crime no.535/2011 at Avaniapuram Police Station and CC/SC No:SC.62/2014 u/s 302, 404 IPC
	Name of the victims and their addresses	Two children were victims of this crime namely 1.Thithiya 20 years (8) 2.T.Karthika 19 years (9) Address: 23/49, Mahatma Gandhi 3 rd Street, TNHB Colony, Mela Anuppanadi, Madurai - 625007. Mobile:6384668359
	Date on which petition sent by the victims to seek victim compensation fund	20.05.2019
	Status	Pending
5	Name of the Convict and the prison in which he / she is confined	Annadurai s/o Palani aged 41 years (CP No.5631) is undergoing life imprisonment since 2017 in Madurai Central Prison
	Victimized by the crime and its details	Wife Muthulakshmi murder case due to domestic dispute in 2014. The case details are crime no.478/2014 at Devadanapatti Police Station and CC/SC No.SC.184/2014 u/s 302 IPC
	Name of the victims and their addresses	Three children are victims of this crime namely 1.Mahalakshmi 16 years (10) 2.Mohanlal 19 years (11) 3.Tamilselvan 17 years (12) Address: Theatre Colony, Behind SBI, Genguvarpatti Post, Periyakulam Taluk, Theni - 625203. Mobile:8098785232 / 9943384410
	Date on which petition sent by the victims to seek victim compensation fund	20.05.2019
	Status	Pending



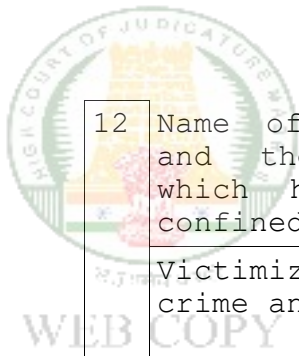
6	Name of the Convict and the prison in which he / she is confined	Senthil @ Senthilkumar s/o Chandrasekar aged 37 years (CP No.5329) is undergoing life imprisonment since 2013 in Madurai Central Prison
	Victimized by the crime and its details	Wife murder case due to domestic related dispute. The case details are crime no.276/2011 at Chembatti Police Station and CC/SC No: SC.167/2012 u/s 302 IPC
	Name of the victims and their addresses	Two children were victims of this crime namely 1.Meena 12 years (13) 2.Mahalakshmi 11 years (14) Address: 4/265A, Pattala Amman Kovil Street, Vadakaattupatti, Kaadipatti Panchayat, Mullipalayam Village, Vickramangalam VIA, Vaipatti Tk, Madurai District - 625207. Mobile : 9655053006
	Date on which petition sent by the victims to seek victim compensation fund	21.05.2019
	Status	Pending
7	Name of the Convict and the prison in which he / she is confined	Pothuraja s/o Muthu aged 39 years (CP No.5568) is undergoing life imprisonment since 2016 in Madurai Central Prison
	Victimized by the crime and its details	Wife Inbagavalli murder case due to domestic dispute in the year 2010 The case details are crime no.157/2010 at Palamedu Police Station and CC/SC No.SC.410/2010 u/s 302, 498(a) IPC and Section 4 of Tamilnadu Prohibition of Harassment of Women Act, 1998
	Name of the victims and their addresses	Two children were victims of this crime namely 1.Muthulakshmi 17 years (15) 2.Chinnathambi 14 years (16) Address: 1/45, 3 rd Ward, Vellaimpatti, Palamedu Post, Vadipatti Tk, Madurai District - 625503. Mobile : 9751990841
	Date on which petition sent by the victims to seek victim compensation fund	12.09.2018
	Status	Pending



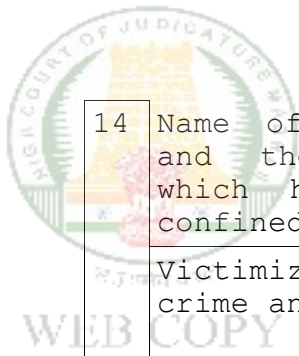
8	Name of the Convict and the prison in which he / she is confined	Velu s/o Datli aged 54 years (CP No.5607) is undergoing life imprisonment since 2016 in Madurai Central Prison
	Victimized by the crime and its details	Wife Muniyakkal and Daughter Muthuselvi due to domestic dispute in the year 2014. The case details are crime no.117/2013 at Paralachi Police Station and SC No.87/2014 u/s 302, 302, 307, 324 IPC
	Name of the victims and their addresses	Two children were victims of this crime namely 1.V.Priya 25 years (17) 2.Franklin @ Muniappan 16 years (18) Address: No.1/24, East Street, Rajagopalapuram Village, Thoppalakarai PO, Aruppukkottai Taluk, Virudhunagar - 626114. Mobile: 9500569528 / 7339365131
	Date on which petition sent by the victims to seek victim compensation fund	21.05.2019
	Status	Pending
9	Name of the Convict and the prison in which he / she is confined	Veeranan s/o Andi aged 63 years (CP No.4390) had undergone life imprisonment since 2005 in Madurai Central Prison
	Victimized by the crime and its details	Wife murder case due to domestic related dispute. The case details are Crime No.436/2003 at Oomachikulam Police Station and CC/SC No:SC.394/2004 u/s 302 IPC
	Name of the victims and their addresses	Five children were victims of this crime namely 1.Velmurugan 32 years (19) 2.Vijayaramu 29 years (20) 3.Vijayalakshmi 29 years (21) 4.Rajeshwari 27 years (22) 5.Malaisamy 26 years (23) Address: 3/102, Mandhai Amman Kovil Street, Uchaparammedu, Thiruppaalai, Madurai - 625014. Mobile : 7090922021
	Date on which petition sent by the victims to seek victim compensation fund	20.05.2019
	Status	Pending



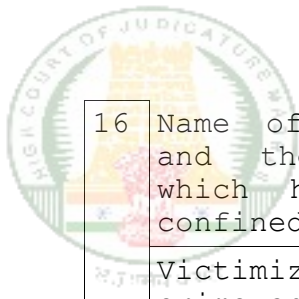
10	Name of the Convict and the prison in which he / she is confined	Jeyakuruvammal w/o Ganesan aged 41 years (FCP No.123) had undergone life imprisonment in Special Prison for Women Madurai
	Victimized by the crime and its details	Husband Ganesan murder case due to domestic dispute.
	Name of the victims and their addresses	Three children are victims of this crime namely 1.Petchimuthu 18 years (24) 2.Ramalakshmi 13 years (25) 3.Ramkumar.G 13 years (26) Address: 21, MKT Keela Street, Vasudevanalloor, Sivagiri Taluk, Tirunelveli District - 627759. Mobile. 9790610350
	Date on which petition sent by the victims to seek victim compensation fund	21.05.2019
	Status	Pending
11	Name of the Convict and the prison in which he / she is confined	Selvam @ Rathinasamy s/o Kalimuthu aged 42 years (CP No.4456) is undergoing life imprisonment since from 2005 in Madurai Central Prison.
	Victimized by the crime and its details	Wife Rajeshwari murder case due to domestic dispute in 2004 under the influence of alcohol. The case details are crime no:480/2004 at Palani Taluk Police Station and CC/SC No:SC.19/2005 u/s.302, 498(a) IPC
	Name of the victims and their addresses	One child is a victim of this case namely 1.Ranjith Kumar.S 17 years (27) Address: 29, South Street, R.Vadipatti, Pappampatti Post, Palani Tk, Dindigul District - 624621. Mobile:8940338079 / 9626210953
	Date on which petition sent by the victims to seek victim compensation fund	21.05.2019
	Status	Pending
Palayamkottai Central Prison		



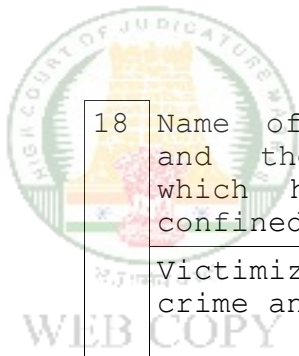
12	Name of the Convict and the prison in which he / she is confined	Selvaraj @ Selvam s/o Athinarayanan aged 51 years (LCT No.3650) is undergoing life imprisonment since 2016 in Palayamkottai Central Prison.
	Victimized by the crime and its details	Wife Parvathi murder case due to domestic dispute in 2007. The case details are crime no.80/2007 at Palavoor Police Station and SC No.43/2008 u/s 302 IPC
	Name of the victims and their addresses	Two children are victims of this crime namely 1.S.Ajith 17 years (28) 2.Sujithraja 20 years (29) Address: 1/277, Sudalaikovil Street Behind, Madanpillai Tharmam, Rajakrishnapuram Post, Radhapuram Taluk, Tirunelveli District - 627114. Mobile: 8220866750 / 7373972393
	Date on which petition sent by the victims to seek victim compensation fund	21.05.2019
	Status	Pending
13	Name of the Convict and the prison in which he / she is confined	Sudalaimuthu @ Mani s/o Santhanakonar aged 52 years (LCT No.1284) is undergoing life imprisonment since 2008 in Palayamkottai Central Prison.
	Victimized by the crime and its details	Wife Mrs.Sudali murder case due to domestic dispute in 2008. The case details are crime no.60/2008 at Eervadi Police Station and SC No.455/2008 u/s 302 IPC
	Name of the victims and their addresses	One child is a victim of this crime by name 1.M.Manikandan 19 years (30) Address: 11/49A, Nandagopalan Street, Gothaiseri Village, Pulinyankurichi Union, Nanguneri Taluk - 627102, Tirunelveli District. Mobile : 7824937731
	Date on which petition sent by the victims to seek victim compensation fund	22.05.2019
	Status	Pending



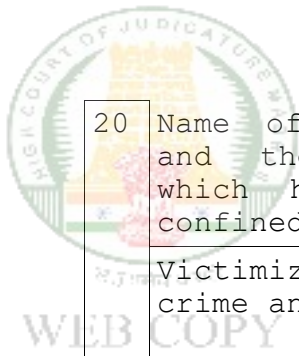
14	Name of the Convict and the prison in which he / she is confined	Velukaniyan s/o.Perumal aged 64 years (LCT No.2928) is undergoing life imprisonment since 2013 in Palayamkottai Central Prison
	Victimized by the crime and its details	Wife Sushila murder case due to domestic related dispute. The case details are crime no.24/2011 at Alwarthirunagari Police Station and SC No.201/2012 u/s.302 IPC
	Name of the victims and their addresses	Four children were victims of this crime namely 1.Marriammal 30 years (31) 2.Parvathi 28 years (32) 3.Ramalakshmi 21 years (33) 4.Muthuperumal 18 years (34) Address: 3/109A, North Street, Kaariyaandi Village, Ramakrishnapuram PO, Nanguneri Tk, Tirunelveli - 627355. Mobile : 6379094931
	Date on which petition sent by the victims to seek victim compensation fund	22.05.2019
	Status	Pending
15	Name of the Convict and the prison in which he / she is confined	Kulanthairaj s/o Chelladurai aged 39 years (LCT No.3950) is undergoing life imprisonment from 2016 in Palayamkottai Central Prison.
	Victimized by the crime and its details	Wife Umadevi murder case due to domestic dispute in 2016 under the influence of alcohol. The case details are crime no:74/2016 at Pulinyagudi Police Station and SC No.494/2016 u/s 302, 364 IPC
	Name of the victims and their addresses	Two children were victims of this crime namely 1.Mathesh 9 years (35) 2.Archana 8 years (36) Address: 1/1, Sundara Vinayagar Kovil Street, Subramaniyapuram, Tenkasi Road, Sivagiri Taluk, Tirunelveli. Mobile : 8870395441
	Date on which petition sent by the victims to seek victim compensation fund	22.05.2019
	Status	Pending



16	Name of the Convict and the prison in which he / she is confined	Sudalaimadasmy s/o Thangaraj aged 36 years (LCT No.3993) is undergoing life imprisonment since 2015 in Palayamkottai Central Prison.
	Victimized by the crime and its details	Wife Thangamani murder case due to domestic related dispute. The case details are crime no.89/2015 at Surankudi Police Station and SC No.198/2017 u/s 302 IPC.
	Name of the victims and their addresses	Two children were victims of this crime namely 1.Munishraj 6 years (37) 2.Swetha 5 years (38) Address: 3/29, East Street, Kunjayapuram, (Vembar VIA) Periyasamipuram Post, Vilathukulam Taluk, Tuticorin - 628906. Mobile : 9755262989 / 8489101442
	Date on which petition sent by the victims to seek victim compensation fund	21.05.2019
	Status	Pending
17	Name of the Convict and the prison in which he / she is confined	Karlmarks s/o Muthuramalingam aged 38 years (LCT No.2817) is undergoing life imprisonment since 2005 in Palayamkottai Central Prison.
	Victimized by the crime and its details	Wife Nagalakshmi murder case due to domestic dispute in 2012 under the influence of alcohol. The case details are crime no.3/2012 at Kadalkudi Police Station and SC No.245/2012 u/s 302 IPC.
	Name of the victims and their addresses	Two children were victims of this crime namely 1.Naganathan 13 years (39) 2.Vilvanathan 10 years (40) Address: c/o A.Nagalingam, South Street, Poothalapuram Post, Vilathikulam Tk, Tuticorin District - 628905. Mobile : 8754981770
	Date on which petition sent by the victims to seek victim compensation fund	21.05.2019
	Status	Pending



18	Name of the Convict and the prison in which he / she is confined	Sakthivel s/o Ramaiah aged 48 years (LCT No.3575) is undergoing life imprisonment since 2014 in Palayamkottai Central Prison.
	Victimized by the crime and its details	Son murder case due to psychiatric illness in 2014. The case details are crime no.95/2014 at Kadayam Police Station and PRC No.6 of 2015, SC No.157/2015 u/s 302, 307, 506(ii) IPC
	Name of the victims and their addresses	(41) Rajakili the mother and the two children are the victims of this crime namely 1.Rajavel 22 years (42) 2.Sakthikala 12 years (43) Address: 9/211, North Street, Kelayapudhur, Near Keela Kadayam, Muthaliyarpatti PO, Ambai Tk, Tirunelveli - 627423. Mobile : 9677506742
	Date on which petition sent by the victims to seek victim compensation fund	21.05.2019
	Status	Pending
19	Name of the Convict and the prison in which he / she is confined	Sasi s/o Velayutham aged 46 years (LCT No.3354) is undergoing life imprisonment since 2015 to till now in Palayamkottai Central Prison.
	Victimized by the crime and its details	Wife Jothi murder case due to domestic dispute in 2014. The case details are crime no.128/2014 at Eranial Police Station and CC/SC No:SC.128/2014 u/s 302 IPC.
	Name of the victims and their addresses	Three children are the victims of this crime namely 1.S.Sangeetha 18 years (44) 2.Venukumar 13 years (45) 3.Manoj 9 years (Special Child) (46) Address: 9/13, Amman Kovil Street, Vazhavilai, Near Padmanabhapuram Palace, Padmanabhapuram PO, Kalkulam Tk, Kanyakumari - 629175. Mobile : 9003697801
	Date on which petition sent by the victims to seek victim compensation fund	22.05.2019
	Status	Pending



20	Name of the Convict and the prison in which he / she is confined	Lakshmanan s/o. Valathi aged 43 years (LCT No.3661) is undergoing life imprisonment in Palayamkottai Central Prison.
	Victimized by the crime and its details	Wife murder case in 2013. The case details are Crime No.102/2013 Kovilpatti Police Station East, SC No.10/2014
	Name of the victims and their addresses	Two children are the victims of this crime namely 1.L.Vanitha 18 years (47) 2.Jothipriya 16 years (48) Address: 2/206, Middle Street, Vadakarai, Gangaikondan, Tirunelveli - 627352. Mobile : 9003682701
	Date on which petition sent by the victims to seek victim compensation fund	21.05.2019
	Status	Pending
21	Name of the Convict and the prison in which he / she is confined	Avudaiappan @ Raj s/o Ramar is aged about 32 years, LCT No.4050, is undergoing life imprisonment since 2018 in Palayamkottai Central Prison.
	Victimized by the crime and its details	Wife Ramalakshmi in 2015. The case details are Crime No.434/2015, Tirunelveli Town Police Station, SC No.200/2016.
	Name of the victims and their addresses	Two children are the victims of this crime namely 1.A.Yuvaraj 10 years (49) 2.Vaishnavi (Died) Address: 77, Kumaran Street, Pattapathu, Tirunelveli Town, Tirunelveli - 627006. Mobile : 770872635.
	Date on which petition sent by the victims to seek victim compensation fund	08.10.2018
	Status	Pending

who had sought financial assistance under the Victim Compensation Scheme;

b) to ensure the timely disbursement of the Victims Compensation Fund which is particularly drawn at its source by deducting 20% of the prisoners wage;

c) to fix a timeline for each steps on processing such applications in the future;

d) to enhance the quantum of the Victim Compensation Fund as to the equivalent to increase of the prisoners wage.



For Respondents : Mr.K.P.Krishnadoss,
Special Government Pleader

ORDER

(Order of the Court was made by **M.M.SUNDRESH, J.**)

The petitioner has come forward to file this public interest litigation raising a serious issue involving the distribution of victim compensation fund.

2. The learned Counsel appearing for the petitioner submitted that of the remuneration being received by the accused, 20% will have to go in favour of the victim(s) or their families, as the case maybe. Though the aforesaid amount has been collected and deposited, the respondents have not disbursed this amount. The learned Counsel has also placed reliance upon the affidavits filed by 21 such victims / family members, as the case maybe.

3. The learned Special Government Pleader appearing for the respondents submitted that inasmuch as there is a procedure contemplated, sufficient time may be granted in this regard.

4. In such view of the matter, we are inclined to direct the respondents to see to it that the aforesaid amount is disbursed, in accordance with law and of course, subject to the entitlement, provided the said exercise has not been done so far. The needful in this regard will have to be done within a period of six weeks from the date of receipt of a copy of this order.

5. With the above directions, this writ petition stands disposed of. No costs.

6. Post the matter on **05.04.2021**, 'for reporting compliance'.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

To

1.The Additional Chief Secretary to Government,
State of Tamil Nadu,
Home (Prison) Department,
Chief Secretariat, St.George Fort,
Chennai - 600 009.

2.The Director General of Prisons and Correctional Services,
Tamil Nadu Prison Head Quarters,
No.6, Wharffs Road,

<https://hcservices.ecourts.gov.in/hcservices/>



Egmore,
Chennai - 600 008.

Copy to

The Section Officer,
Writ Section

Madurai Bench of Madras High Court, Madurai
(for Reporting compliance On 05.04.2021)

W.P. (MD) No.2801 of 2021

W.P. (MD) No.2801 of 2021
15.02.2021

NS (CO)
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