



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.07.2021

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD) No.4001 of 2021
(Through Video Conference)

A.Sannasi

...Petitioner

Vs.

- 1) The Secretary,
School Education Department,
Secretariat, Fort St.George,
Chennai 600 009
- 2) The Director of School Education,
DPI Compound, College Road,
Chennai 600 006
- 3) The Chief Education Officer,
O/o the Chief Education Office,
Tallakulam, Madurai 625 002
- 4) The District Education Officer,
O/o District Education Office,
Usilampatti,
Madurai 625 532
- 5) The Head Master,
TELC Women Higher Secondary School,
Usilampatti, Madurai 625 532

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents herein to provide the relief fund to the petitioner for the death of the petitioner's daughter based on the G.O.Ms.No.17 School Education Department, dated 07/02/2018 .

For Petitioner : Mr.A.Athiyan

For RR 1 to 4 : Mr.R.Suresh Kumar,
Government Advocate

O R D E R

This Writ Petition has been filed for the issue of a Writ of Mandamus directing the second respondent to provide the relief fund for the death of the daughter of the petitioner as per G.O.Ms.No.17 dated 07.02.2018.



2. The case of the petitioner is that his daughter, who was studying in 12th standard in the Government School was returning back home after completing the XII Examination, at which point of time, she met with an accident and she died on the same day.

3. The Government Order in G.O.Ms.No.17, School Education Department, dated 07.02.2018 provides for payment of compensation for children who are studying in the Government School and who die due to accident.

4. The petitioner made a representation/ application seeking for payment of compensation based on this Government order. The second respondent, on receipt of the same, directed the fifth respondent School to furnish certain documents before considering the claim made by the petitioner. According to the learned counsel for the petitioner, the necessary details have already been provided to the second respondent. However, there has been no progress thereafter. Left with no other option, the present writ petition has been filed before this Court, seeking for appropriate directions.

5. Heard Mr.A.Athiyan, learned counsel for the petitioner and Mr.R.Suresh Kumar, learned Government Advocate appearing for the respondents.

6. Taking into consideration the facts and circumstances of the case and the limited relief sought for in this writ petition, there shall be a direction to the second respondent to consider the application/ representation made by the petitioner on 10.01.2019 and deal with the same in accordance with G.O.Ms.No.1, School Education Department, dated 07.02.2018 and take a decision within a period of six(06) weeks from the date of receipt of a copy of this order.

7. The petitioner is directed to make a fresh representation to the second respondent along with all the relevant documents and also a copy of this order. With this direction, the Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CS II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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NOTE: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

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



To:

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+1 CC to M/s.SPL GP (SR-21719[F] dated 08/07/2021)

+1 CC to M/s.A.ATHIYAN, Advocate (SR-21874[F] dated 09/07/2021)

**W.P. (MD) No.4001 of 2021
07.07.2021**

RC (16.07.2021) 3P-7C