



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

ORDER RESERVED : 18.02.2021

ORDER PRONOUNCED : 15.03.2021

CORAM :

THE HONOURABLE MR.JUSTICE **V.PARTHIBAN**

W.P. (MD) No.16751 of 2020

R.Shanthi .. Petitioner
vs

1.The District Collector,
Trichy District, Trichy.

2.The Deputy Superintendent of Police,
Lalgudi,
Trichy District.

3.The Inspector of Police,
Samayapuram Police Station,
Trichy District.

.. Respondents

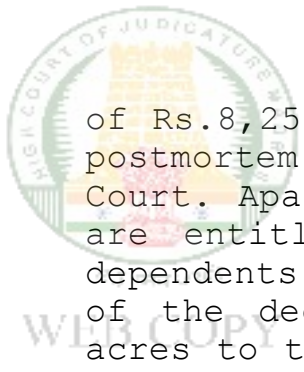
PRAYER:Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the 1st respondent to provide second half of the compensation amount of Rs.4,12,500/-, monthly pension, dearness allowance, a piece of agricultural land, government job and grocery items in accordance with the Rule 12(4) of the Schedules Castes and Schedules Tribes (Prevention of Atrocities) Act, 1995 to the petitioner by considering the representation dated 28.10.2020.

For Petitioner : Mr.T.Lenin Kumar
For Respondents : Mr.M.Jeyakumar
Additional Government Pleader

ORDER

The case of the petitioner is that her elder son, Vigneswaran, was murdered on 22.07.2020 and in this regard, a case in Cr.No.792 of 2020 was registered for the offences punishable under Section 302 of IPC and Section 3 (2) (Va) of SC/ST (POA) Act, 1989 by the 3rd respondent police. The petitioner belongs to Hindu Pallan Community, which is recognized as Scheduled Caste community.

2.According to the petitioner, in terms of the provisions of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, the 1st respondent has to pay compensation



of Rs.8,25,000/- to the victim in two installments ie., 50% after postmortem report and 50% when the charge sheet is sent to the Court. Apart from the compensation, the petitioner and her family are entitled to seek benefits, namely, monthly pension to the dependents of the deceased and further an employment to one member of the deceased's family and also the land, measuring about 2 acres to the dependents of the deceased. Further, the children of the deceased should be educated upto graduation level with free of cost. The dependents shall be given utensils and grocery items for a period of 3 months.

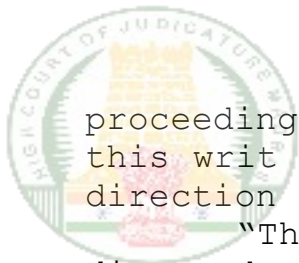
3.The present grievance of the petitioner is that only first half compensation was paid to her and other reliefs have not been provided for and therefore, seeking a direction to the authority concerned, the present writ petition has been filed.

4.When this writ petition came up for hearing on the earlier occasion, Mr.M.Jejakumar, learned Additional Government Pleader appearing for the respondents would submit that the 1st respondent / the District Collector, Trichy, has issued a proceedings dated 20.01.2021 stating that remaining 50% of the compensation amount would be paid shortly to the petitioner and the other reliefs as prayed for would be provided in due course including the monthly pension, compassionate appointment and also the essential items to the family of the deceased. After the above proceedings was issued, it transpired that the remaining 50% of the compensation amount has been paid to the petitioner, which fact has also been acknowledged by the learned counsel for the petitioner.

5.The learned Additional Government Pleader would submit that in view of the undertaking given by the 1st respondent, all the reliefs that are admissible under the SC/ST Act, would be provided for in due course without any undue delay to the petitioner.

6.At this, the learned counsel appearing for the petitioner would submit that some time may be fixed by this Court, so that the provisions of the Act shall be complied with in full.

7.According to the learned counsel for the petitioner, time is granted for each and every respective relief, namely, three months time has been provided for under the Annexure I See Rule 12 (4) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989. In this case, three months time has already been expired and in view of the proceedings of the 1st respondent / District Collector, Trichy, dated 20.01.2021, which has been produced for perusal of this Court. However, in view of the clear undertaking given by the 1st respondent in his



proceedings dated 20.01.2021, this Court is not inclined to keep this writ petition pending, but the same can be disposed of with a direction as under:-

"The 1st respondent / the District Collector, Trichy, is directed to provide the reliefs for grant of pensionary benefit, employment assistance on compassionate ground and also assignment of land in terms of the provisions of the Act to the petitioner and apart from these benefits, any other benefits to be provided under the Act shall be made available to the petitioner within a period of three months from the date of receipt of a copy of this order."

8. With the above 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.

To

1. The District Collector,
Trichy District, Trichy.

2. The Deputy Superintendent of Police,
Lalgudi,
Trichy District.

3. The Inspector of Police,
Samayapuram Police Station,
Trichy District.

+1 CC to SPL GP (SR-11529[F] dated 16/03/2021)

W.P. (MD) No.16751 of 2020

15.03.2021

KM (24.03.2021) 3P 5C