



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.09.2021

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THE HONOURABLE MR.JUSTICE SETHILKUMAR RAMAMOORTHY

W.P(MD)No.16844 of 2021

K.Karunakaran

... Petitioner

Vs.

1.The Principal Secretary to the Government,
Department of Home,
Fort St.George,
Chennai - 9.

2.The District Collector,
Villupuram District.

3.The Revenue Divisional Officer,
Villupuram,
Villupuram District.

4.The District Collector,
Ramanathapuram District.

5.The Revenue Divisional Officer,
Ramanathapuram,
Ramanathapuram District.

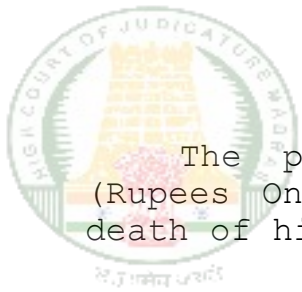
6.The Superintendent of Police,
O/o. the Superintendent of Police,
Ramanathapuram District.

7.The Sub-Inspector of Police,
Uthirakosamangai Police Station,
Uthirakosamangai,
Ramanathapuram District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing Respondent No.4 to 7 to disburse the Chief Minister's Accident Relief Fund to the tune of Rs.1,00,000/- (One Lakh Rupees) for the accidental death of Petitioner's Son namely Mr.Kabeelash Jothi Karuna in accordance with the Government Order in G.O.Ms.No.141 Home (Tr.IV) Department dated 24.02.2014 to the petitioner within the time period.

For Petitioner	:	Mr.T.Lajapathi Roy
For Respondents	:	Mr.K.S.Selva Ganesan
		Counsel for State



ORDER

The petitioner seeks financial assistance of Rs.1,00,000/- (Rupees One Lakh) under a Government Scheme in relation to the death of his son in a hit and run accident.

2.The petitioner states that his son, the late K.Kabeelash Jothi Karuna, died in a hit and run accident on 12.11.2020. In relation thereto, it is stated that FIR No.125/2020 was registered on 13.11.2020. The petitioner states that the Government of Tamil Nadu issued G.O.Ms.No.141 Home(Tr.IV) Department dated 24.02.2014. By such Government Order, the solatium for death in a hit and run accident was increased to a sum of Rs.1,00,000/- (Rupees One Lakh). After submitting a representation dated 13.09.2021 to the respondents, the present Writ Petition is filed seeking solatium in terms of the above mentioned Government Order.

3.Mr.K.S.Selva Ganesan, learned counsel for the State, accepts notice on behalf of all the respondents. He submits that the petitioner's representation would be considered and disposed of by taking into account G.O.Ms.No.141.

4.The petitioner has enclosed the First Information Report in Crime No.125/2020. Such FIR indicates that the petitioner's son died in a hit and run accident on 12.11.2020. The relevant Post Mortem Certificate issued by the Government Headquarters Hospital, Ramanathapuram has also been enclosed.The said Certificate indicates that the deceased appears to have died of head injury and multiple organ injury. A letter issued by the Sub-Inspector of Police to the Medical Superintendent of the Government Headquarters Hospital, Ramanathapuram has also been enclosed. In addition, the petitioner has enclosed the Death Certificate of his son as well as his Aadhaar Card and the Family Card of the petitioner. On the basis of these documents, the petitioner has made out a case for the consideration of the representation in accordance with G.O.Ms.NO.141.

5.Accordingly, the fourth respondent-District Collector is directed to consider the petitioner's application dated 13.08.2021 and dispose of the same after taking into account G.O.Ms.No.141 Home(Tr.IV) Department dated 24.02.2014 and the observations contained in this order. Such representation shall be acted on within a period of three (3) months from the date of receipt of a copy of this order.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)



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.

WEB COPY

To

1.The Principal Secretary to the Government,
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Uthirakosamangai,
Ramanathapuram District.

+1 CC to M/s.T.LAJAPATHI ROY, Advocate (SR-29983[F] dated 23/09/2021)

+1 CC to M/s.SPL.GP (SR-29930[F] dated 22/09/2021)

**W.P(MD)No.16844 of 2021
21.09.2021**

RS (29.09.2021) 3P 10C