



WEB COPY



W.P. No.26033 of 2014

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.10.2022

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THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.No.26033 of 2014

K.Keerthika

... Petitioner

Vs

1.Commissioner,
Corporation of Chennai,
Rippon Building,
Chennai – 600 003.

2.The Managing Director,
Chennai Metropolitan Water Supply
and Sewerage Board,
No.1, Pumping Station Road,
Chindadripet, Chennai – 600 002.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondent to pay adequate compensation to the petitioner for untimely death of her son Master K.Dinesh due to fall into the storm water drain on 15.06.2015 due to the negligence of the respondent.



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For Petitioner : Mr.M.Mohan Raj
for Mr.M.Kempraj

For Respondents : Mr.D.B.R.Prabu for R1
Mr.K.Subramani for R2

ORDER

This writ petition is being disposed after hearing the learned counsel for the petitioner and the respondents. The case of the petitioner is that petitioner's minor son aged about 3 ½ years named K.Dinesh died after he was drowned in an open drain left by the respondents.

2.Though the petitioner has not quantified the quantum of compensation on account of the death of the petitioner's minor son/K.Dinesh, the fact remains that there are Government Order issued during the pendency of the present writ petition as per which the Government is required to pay ex-gratia compensation to the family of the deceased under similar circumstances.

3.Under these circumstances, I am inclined to dispose this writ petition by directing the respondents to pay ex-gratia and thereafter pass appropriate orders on merits and taking note of the relevant Government Order issued in this regard. The ex-gratia shall be paid within a period of 60 days from the date



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of receipt of a copy of this order. It is also open for the petitioner to file an appropriate application for granting further compensation over and above ex-gratia.

4. Accordingly, this writ petition stands disposed of. No costs.

19.10.2022

Index: Yes/ No
Internet : Yes/No
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To

1. Commissioner,
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Rippon Building,
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Chennai Metropolitan Water Supply
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C. SARAVANAN, J.



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