



WEB COPY



W.P. No.23048 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 14.10.2022

CORAM:

THE HONOURABLE MR.JUSTICE **N. SATHISH KUMAR**

W.P. No.23048 of 2017 and
W.M.P. No.24158 of 2017

1.Mrs.P.Mariammal

2.Minor Gopika

Rep. by her mother and natural Guardian
P.Mariammal

3.Minor Deepika

Rep. by her mother and natural Guardian
P.Mariammal

. . . Petitioners

Vs

1.The Chief Secretary
State of Tamil Nadu
Fort St. George
Chennai

2.The Secretary to the Government
Home Department, Fort St George
Chennai 600 009

3.The Chairman
Chennai Metropolitan Development Authority
Thalamuthu Natarajan Maaligai
Egmore, Chennai

4.The Commissioner
Corporation of Chennai
Ripon Building
Park Town, Chennai 600 003



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5.The Commissioner of Police
Greater Chennai
Vepery, Chennai 600 007

6.The Zonal Officer
Zone V, Corporation of Chennai
No.61 Basin Bridge Road
Chennai 600 021

7.The Inspector of Police
Law and Order
C-3 Seven Wells Police Station
Chennai.

8.Devarajan

9.M/s.Tata Teleservices Ltd.,
Represented by its
Authorised Signatory
No.283 and 284, 6th and 13th Floor
Prince Infocity-II, Rajiv Gandhi Salai
Kandanchavadi, Chennai 600 096

10.M/s.ATC Telecom Infrastructure P Ltd.,
Represented by its
Authorised Signatory
No.45, Celestial Point
Damodharan Street
T.Nagar, Chennai 600 017.

Respondents

. . .

PRAYER : Writ petition filed under Article 226 of the Constitution of India for a writ of mandamus, directing the respondents to pay compensation of Rs.1,00,00,000/- (Rupees One Crore only) to the petitioners in pursuance to the representation of the petitioner dt.28.07.2017.



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For Petitioners : M/s.A.Thirumaran
No Appearance

For Respondents : Mr.P.Sathish, AGP
for R1, R2, R5 and R7
Mr.G.T.Subramanian for R4 & R6
Mr.R.Karunagaran for R8
Mr.R.Shivakumar for
M/s.Shivakumar & Suresh for R9
Mr.J.Ravikumar for R10

ORDER

There is no representation for the petitioners.

2. The writ petition has been filed for claiming a compensation of Rs.1,00,00,000/- (Rupees One Crore only) on the ground that there was negligence on the part of the Corporation as well as the 10th respondent.

3. There are disputed facts raised in this writ petition and this court is of the view that, in the writ petition, the compensation cannot be decided. It is well open to the petitioners to work out their remedy before the civil court. The period spent in the writ petition may be excluded while filing a suit, if the writ petitioners willing to file a suit, within a period of six months from today.



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4. With the above observation, the writ petition is disposed of.

However, there is no order as to costs. Consequently, the connected writ miscellaneous petition is closed.

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Index : Yes / No
Speaking/non speaking order
Asr

To

- 1.The Chief Secretary
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Chennai
- 2.The Secretary to the Government
Home Department, Fort St George
Chennai 600 009
- 3.The Chairman
Chennai Metropolitan Development Authority
Thalamuthu Natarajan Maaligai
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7.The Inspector of Police
Law and Order
C-3 Seven Wells Police Station
Chennai.

8.The Government Pleader,
High Court, Madras.



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N. SATHISH KUMAR, J.

Asr

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