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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.01.2022

C O R A M

THE HON'BLE MR. JUSTICE KRISHNAN RAMASAMY

W.P.No.18080 of 2017

S.Sahayanathan

...Petitioner

Vs

1. The Secretary to Government
Chief Secretary
Fort St, George,
Chennai - 9.

2. The District Collector,
Office of Collectorate,
Kancheepuram District
Kancheepuram.

3. The Tahsildhar,
Solinganallur Taluk,
Kancheepuram District.

...Respondents

Prayer:Writ Petition filed under Section 226 of the Constitution of India, prayed for the issuance of Writ of Mandamus, directing the respondents to pay compensation to the petitioner for the death of his wife Kala due to negligence acts on the part of the respondents and consider his representation dated 13.03.2017.

For Petitioner : No Appearance

For R1 to R3 : Mr.M.Shahjaham
Special Government Pleader

ORDER

This Writ Petition has been filed seeking for the issuance of Writ of Mandamus, directing the respondents to pay compensation to the petitioner for the death of his wife Kala due to negligence acts on the part of the respondents and consider his representation dated 13.03.2017.

2.When the matter was taken up for hearing on 12.11.2021, there was no representation for the petitioner. Therefore, the Registry is directed to list the case on 07.12.2021. On that date, the case was adjourned to 24.01.2022, at the request of the learned counsel for the petitioner. Accordingly, when the matter is taken up for hearing today i. on 24.01.2022, none appeared on behalf of the petitioner.



3. On the other hand, the learned Special Government Pleader appearing for the respondents, by referring the counter affidavit submits that a compensation of Rs.4,00,000/- had been paid to the petitioner for the death of his wife.

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4. For better appreciation, Paragraph No.7 of the Counter affidavit is extracted hereunder:

"It is respectfully submitted that a perusal of the records shows that subsequent to the filing of this Writ Petition, action was pursued by the respondents and a sum of Rs.4,00,000/- (Rupees Four Lakhs only) was sanctioned to the petitioner herein in Collector's Proceedings No. Rc. No.3881/2017 - Disaster Management dated 04.01.2018. In pursuance of the same, a cheque to the tune of Rs.4,00,000/- was handed over to the petitioner herein. As the connected back file could not be traced immediately, the petitioner was enquired in this regard as a statement was obtained from him on 11.11.2019 in token of having paid the compensation for the death of his wife on 13.12.2016 in Natural Calamity. As such the prayer of the petitioner has already been complied with by the respondents office."

5. Perusal of the above would show that a sum of Rs.4,00,000/- (Rupees Four Lakhs only) was paid to the petitioner as compensation for the death of his wife and that may be the reason why none appeared on behalf of the petitioner to represent the case.

6. Hence, by recording the submission made by the learned Special Government Pleader, this Writ Petition is dismissed for non-prosecution. No Costs.

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

rst



To:

1. The Secretary to Government
Chief Secretary
Fort St, George,
Chennai - 9.

2. The District Collector,
Office of Collectorate,
Kancheepuram District
Kancheepuram.

3. The Tahsildhar,
Solinganallur Taluk,
Kancheepuram District.

+1cc to the Government Pleader, S.R.No.4710

W.P.No.18080 of 2017

GPL(CO)
RGA(15/02/2022)