



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.01.2022

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.35641 of 2019

V.Geetha

...Petitioner

Vs.

1. The State of Tamilnadu, rep. by
Secretary to the Government
Home Department, Fort St. George,
Chennai 600 009.
2. The District Collector,
Kancheepuram.
3. The Tahsildar,
Tambaram Taluk, Chennai 600 045.
4. The Inspector of Police,
S-11 Tambaram Police Station,
Chennai 600 045.

...Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent 1 to 3 herein to pay compensation for the death of the petitioner's husband Mr.Vasudevan, due to the impact of Varada Cyclone on 12.12.2016 and the consequential run over by several vehicles and tearing his body into pieces, in pursuant to the representation dated 04.01.2017.

For petitioner : Mr.R.Selvakumar
For Respondents: Mr.R.Kumaresan
Additional Advocate General
Assisted by
Mrs.C.Sangamithirai
Special Government Pleader

O R D E R

On 05.01.2022, this court passed the following order:

'The petitioner has filed this writ petition seeking issuance of Writ of Mandamus to direct the respondents 1 to 3 to consider her representation dated 04.01.2017 and to pay the compensation for the death of her husband due to Varada Cyclone as early as possible.



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2. The case of the petitioner is that her husband died on 12.12.2016 due to Varada Cyclone as he was distracted and got hit by unknown vehicle and died in the spot. Hence, the petitioner made a representation before the 3rd respondent on 04.01.2017 requesting for compensation for the death of her husband, however, no steps were taken by him. Thereafter, the petitioner made representation before the 2nd respondent, who again did not take any action over her representation dated 27.03.2019. Hence, this Writ petition is filed.

3. The learned counsel for the petitioner submitted that the petitioner, being women is facing lot of hardships due to the demise of her husband due to Varada cyclone and she is unable to meet her day to day requirements. He further submitted that, though the petitioner made representations before the 2nd and 3rd respondents, no orders were passed on the petitioner's representation. Hence, he submitted that, it would suffice if this Court issues direction to the respondent 1 to 3 to consider the petitioner's representation dated 04.01.2017 and take necessary action to provide the petitioner with the compensation amount for the death of her husband due to Varada Cyclone within a particular time frame fixed by this Court.

4. On perusal of the counter filed by 1st and 2nd respondents, it is submitted that Traffic Investigation Police, Chennai has furnished a vague report stating that the case is closed under Section 174 of Cr.P.C without the Form 6 and Form 7, which is an essential one for the sanction of Relief under the Accident Relief Scheme to the petitioner, as the Law enforcing agency/Inspector of Police, Tambaram has simply registered and closed the case under section 174 of Cr.P.C without referring the matter to the Traffic Investigation Police, Chennai. Stating the above reasons, the respondents have rejected the petitioner's representation which is unreasonable and unacceptable. For non submission of the complete and essential report by the law enforcing agency in no way prevents the petitioner from receiving the compensation either under Hon'ble Chief Minister's Accident Relief or under the Natural Calamities Relief Schemes and this Court cannot expect common people/victim to run from pillar to post for such unacceptable reasons and it is purely the duty of the Law enforcing agency. Hence, this Court issues direction to the 1st respondent to assess the payment of compensation to the petitioner and submit report before



this Court on 19.01.2022.

5. For filing report, post the matter on 19.01.2022.''

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2. Today, the matter is listed under the caption ''for reporting compliance.

3. When the matter is taken up for hearing, the learned Additional Advocate General submitted that pursuant to the order of this Court dated 05.01.2022, the Thasildar, Tambaram issued proceedings dated 11.01.2022 wherein it is stated that the first respondent has deposited a sum of Rs.4,00,000/- in petitioner's bank account on 10.01.2022.

4. In view of the above submission made by the learned Special Government Pleader, no further order is necessary in this case and therefore, this Writ Petition is closed. The said proceedings dated 11.01.2022 shall form part of the case record. No costs.

-s/d-

Assistant Registrar(CS-I)

True Copy

Sub-Assistant Registrar

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To

1. The Secretary to the Government
The State of Tamilnadu,
Home Department, Fort St. George,
Chennai 600 009.
2. The District Collector,
Kancheepuram.
3. The Tahsildar,
Tambaram Taluk, Chennai 600 045.
4. The Inspector of Police,
S-11 Tambaram Police Station,
Chennai 600 045.

+1cc to Mr.R.Selvakumar, Advocate, S.R.No.2896

[26/04/2022]

+1cc to the Government Pleader SR.No.3408

W.P.No.35641 of 2019

GPL(CO)
GN(17/02/2022)