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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.09.2022

CORAM

THE HONOURABLE Mr.JUSTICE R.SUBRAMANIAN
and
THE HONOURABLE Mr.JUSTICE KUMARESH BABU

W.A.No.328 of 2019

B.Mallika .... Appellant

Vs

1.The District Collector
Perambalur
Perambalur District.

2.The District Child Protection Officer
Department of Social Defence
154, M.M.Plaza, IInd Floor
Trichy Main Road
Perambalur
Perambalur District.

3.The Legal-cum Probation Officer
District Child Protection Unit 154
M.M.Plaza, 2nd Floor
Trichy Main Road
Perambalur
Perambalur District.

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4.The Residential Medical Officer
Government Head Quarters Hospital
Near Old Bus Stand
Perambalur
Perambalur District.

5.The Warden Annai Angel Short Stay Home
Rover Arch Street
Venkatesapuram
Perambalur
Perambalur District.

6.The Inspector of Police
All Women Police Station
Perambalur
Perambalur District.

7.The District Social Welfare Officer
Collectorate Campus
Perambalur District. .... Respondents

Prayer : Writ Appeal filed under Clause 15 of Letters Patent praying to set aside the order dated 22.10.2018 made in W.P.No.25581 of 2018 and allow the appeal.

For Appellant : Ms.K.Ahkilandeswari

For Respondents : Mr.Vadivelu Deenadayalan
Additional Government Pleader

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JUDGMENT

[Judgment of the Court was made by R.SUBRAMANIAN.J]

It is rather an unfortunate case where the daughter of the petitioner conceived of sexual assault on her. The attempt of the petitioner to have the pregnancy terminated medically failed because the medical opinion was against the said termination. Pending appeal, the daughter of the appellant had delivered a child. Therefore, the Division Bench had directed payment of Rs.1,25,000/- as interim compensation and the same has also been paid.

2. The learned counsel for the appellant would submit that she would be entitled to something more under the victim compensation scheme.

3. The State had introduced 'Compensation Scheme for Women Victims / Survivors of Sexual Assaults and other Crimes-2018' vide G.O.(Ms.) No.1591 dated 24.09.2018 as per the directions of the Hon'ble Supreme Court in its order dated 11.05.2018 in W.P.(Civil) No.565/2012. Under the said Government Order, the Member Secretary, District Legal Services Authority is the designated authority for determining the compensation under the said compensation scheme and the amount of compensation payable is also fixed under the said

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Government Order. Since the original purpose of writ petition itself has become illusory, we dispose of the appeal leaving it open to the appellant to apply to the Member Secretary, District Legal Services Authority, Perambalur, seeking compensation under the scheme referred to supra. If such an application is made by the appellant for compensation, the Member Secretary, District Legal Services Authority, Perambalur will dispose of the same within a period of two months from the date of filing of the application. No costs.

[RSMJ] [KBJ]
27.09.2022

Index : Yes / No
Speaking order / Non-speaking order
ds

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R.SUBRAMANIAN. J.,

ds

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