



W.P(MD)No.3576 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.12.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.3576 of 2019

Gajendran

... Petitioner

Vs.

1.The Director,
Tamil Nadu State Disaster Management Agency,
Revenue Administration,
Disaster Management Mitigation Department,
Government of Tamil Nadu,
Chennai.

2.The District Collector,
Pudukottai District.

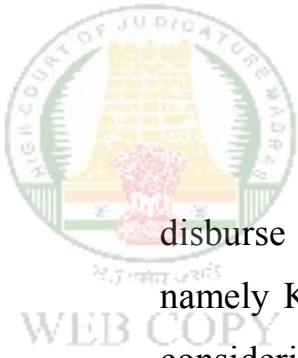
3.The Tahsildar,
Aranthangi Taluk,
Pudukottai District.

4.The Revenue Inspector,
Poovatrakkudi,
Pudukottai District.

5.The Village Administrative Officer,
Mara Madakki Circle,
Aranthangi Taluk,
Pudukottai District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India,
praying this Court to issue a Writ of Mandamus, to direct the respondents to



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disburse the Chief Minister Relief Fund for death of the petitioner's father namely Karuppaiya, Son of Kayampu due to Cyclone Gaja on 16.11.2018 by considering his representation dated 03.12.2018 within the period that may be stipulated by this Court.

For Petitioner : Mr.R.Gandhi

For Respondents : Mr.A.K.Manikkam,
Spl. Government Pleader.

ORDER

Heard the learned counsel on either side.

2.The petitioner claims that his father died on 16.11.2018 due to Gaja cyclone and that therefore the Government must be directed to pay compensation therefor. The learned counsel for the petitioner took me through the averments set out in the affidavit filed in support of the writ petition. He relied on the certificates issued by the Village Administrative Officer as well as the Revenue Inspector.

3.I am not persuaded by the said submissions of the learned counsel for the writ petitioner. As rightly pointed out by the learned Special Government Pleader, there is nothing on record to indicate that the petitioner's father died to



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Gaja cyclone. Admittedly, the petitioner's father had not suffered any injury. I can understand if due to collapse of the building or falling of a tree, the petitioner's father had suffered injuries and died as a result. That does not appear to be the case. The petitioner's father's death appears to be due to natural causes. It is also not in dispute that postmortem was not done. Of course, the petitioner's counsel would point out that during the relevant time, the village remained completely cut off and therefore, they could not take body to Government hospital for conducting postmortem. The fact remains that there is no convincing material to link the petitioner's father's death with Gaja cyclone. It is for this reason, I decline to grant relief and the writ petition stands dismissed. No costs.

12.12.2022

Index : Yes / No
Internet : Yes/ No
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To:-

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G.R.SWAMINATHAN, J.

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Pudukottai District.
- 3.The Tahsildar,
Aranthangi Taluk,
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