



W.P.No.2632 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.04.2023

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.No.2632 of 2022

M.Nirmala

...Petitioner

-Vs-

1.Union of India,
Rep. by its Secretary,
Ministry of Shipping,
Transport Bhawan,
1, Parliament Street,
New Delhi – 110 001.

2.Seaman Master,
Welfare Officer,
Shipping Office,
Government of India,
Rajaji Salai, Chennai.

3.Supreme Marine Tankers Pvt. Ltd.,
IIIrd Floor, West Block, Door No.7/8/22,
R.K.Mission Road, Walter Ward,
Vishakapatnam, Andhra Pradesh.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India,
praying to issue a Writ of Mandamus, directing the second respondent to



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consider the petitioner's representation dated 07.08.2021 and received by them on 11.08.2021 within a time frame.

For Petitioner : Mr.J.Hariharan

For R1 & R2 : Mr.K.Gunasekar

For R3 : No Appearance

ORDER

Heard Mr.J.Hariharan, learned counsel for the petitioner and Mr.K.Gunasekar, learned counsel for the respondents 1 and 2. There is no appearance on behalf of the third respondent.

2. In connection with the death of the petitioner's husband, who was employed with the third respondent, the petitioner has sought for compensation from the third respondent and since her representation was not considered by them, she had made a representation to the second respondent, who is the shipping office of the Government of India. The second respondent had in turn forwarded the representation dated 07.08.2021 to the third respondent herein.



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3. In case the petitioner is entitled for any compensation for the death of her husband, it would be the third respondent, who has to pay such compensation. Thus, the present Writ Petition, which seeks for a direction to the second respondent to consider the petitioner's claim, may not be appropriate.

4. In this background, the petitioner is granted liberty to work out her remedies, with regard to her claim for compensation in connection with the death of her husband, against the third respondent herein, before the appropriate forum/Civil Court.

5. With the above liberty, the Writ Petition stands disposed of. No costs.

06.04.2023

Index:Yes/No
Internet:Yes/No
hvk



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To

- 1.The Secretary,
Union of India,
Ministry of Shipping,
Transport Bhawan,
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New Delhi – 110 001.
- 2.Seaman Master,
Welfare Officer,
Shipping Office,
Government of India,
Rajaji Salai, Chennai.
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M.S.RAMESH,J.

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