



WEB COPY



W.P.No.25274 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :28.08.2023

CORAM

THE HONOURABLE MR. JUSTICE S.SOUNTHAR

W.P No.25274 of 2023

U.Sankar

...Petitioner

Vs.

1.The District Collector

Office of the District Collector,
Chennai.

2.The Regional Transport Officer,

Office of Virugambakkam Regional Transport Office,
Southwest Region, Kalamman Kovil Road,
Virugambakkam, Chennai -92.

3.The Inspector of Police

K-10, Koyembedu Police Station,
Traffic Investigation Wing,
Kalamman Kovil Street, Chennai -107.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 1st and 2nd respondents to provide the solatium under the Motor Vehicles Act, 1988 on the loss of the petitioner's son namely S. Deneshkumar due to hit and run accident vide Registration No.TN 10 R 5901 and to consider the petitioner's representation dated 23.09.2022



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For Petitioner : Mr.M.Dinesh
For Respondents 1 & 2 : Mr.C.Selvaraj,
Additional Government Pleader
For Respondent 3 : Mr.S.Vinoth kumar
Government Advocate (Criminal Side)

ORDER

The petitioner herein seeks a direction to the respondents 1 & 2 to pay solatium under the Motor Vehicles Act, 1988 for the death of his son namely S.Deneshkumar due to hit and run accident by considering his representation dated 23.09.2022.

2.It is the case of the petitioner that his son S.Deneshkumar died due to accident on 02.05.2010. It is further stated by the petitioner that it was a hit and run case and the identity of the offending vehicle was not noted. Therefore, the petitioner submitted a representation to the 1st respondent on 23.09.2022, seeking payment of solatium. The said representation has not been considered by the respondents till date.

3.Mr.C.Selvaraj, learned Additional Government Pleader takes notice



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for the respondents 1 and 2. Mr.S.Vinoth kumar, learned Government Advocate (Criminal Side) takes notice for the 3rd respondent.

4.In view of the limited prayer made by the petitioner seeking consideration of his representation, without expressing any opinion on the right of the petitioner to claim such solatium, this Court is inclined to issue a direction to the 1st respondent to consider the petitioner's representation dated 23.09.2022 and pass final orders within a period of six weeks from the date of receipt of a copy of this order.

5.With this direction, the writ petition stands disposed of. No costs.

28.08.2023

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation Case : Yes/No
nti/shl



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S.SOUNTHAR, J.

nti/shl

To

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