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W.P.No.32005 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.02.2023

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

WP.No.32005 of 2018

V.K.Muthurasu

... Petitioner

Vs

1. The District Collector,
Collectorate Office,
Rajaji Salai, Chennai – 600 001.
2. The Corporation Commissioner,
Greater Chennai Corporation, Rippon Building,
Chennai – 600 003.
3. The Managing Director cum Principal Secretary,
CMWSS, Chindadripet, Chennai – 600 002.
4. The Area Engineer,
CMWSS, Area 6 Depot – 72, 73
Thiruvengadasamy Street, Pulianthope,
Chennai – 600 012.

... Respondents

Prayer:- Writ Petition is filed, under the Article 226 of Constitution of India, to issue a Writ of Mandamus directing the respondents to dispose the petitioner representation dated 09.07.2018.



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For Petitioner : No appearance

For Respondents : Mr.V.Nanmaran,
Addl. Government Pleader – R1

Mrs.P.T.Ramadevi,
Standing Counsel for Chennai Corporation
- R2

Mrs.Vasanthamala, for CMWSS – R3 & R4

ORDER

This Writ Petition has been filed to direct the respondents to dispose the representation given by the petitioner dated 09.07.2018.

2. When the matter is taken up today, there is no representation for the petitioner.

3. This Writ Petition has been filed to consider the representation of the petitioner for grant of compensation. It is the case of the Writ Petitioner that while driving the auto, due to a pit hole on the road, the auto met with an accident and as a result of which he sustained injuries and



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admitted in the hospital. Therefore, he has given a representation to the respondents and the same has not been considered by them.

4. A perusal of the First Information Report filed along with the Writ Petition indicate that there is an allegation of rash and negligent driving by the driver of the auto. There is no reference as to the pit hole etc. In such view of the matter, a direction to consider the representation does not arise at all. In the matter of compensation, negligence has to be pleaded and proved and the same cannot be tested in the Writ Petition by way of giving a representation.

5. Accordingly, this Writ Petition is dismissed. No costs.

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Index:Yes/No

Neutral Citation : Yes/No

vrc



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N.SATHISH KUMAR, J.

VTC

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