



W.P(MD)No.16689 of 2012

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.11.2023

CORAM :

**THE HONOURABLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE
and
THE HONOURABLE MR.JUSTICE K.K. RAMAKRISHNAN**

W.P(MD)No.16689 of 2012

Kumarandi

... Petitioner

Vs.

- 1.The District Collector,
Ramanathapuram District.
- 2.The Superintendent of Police,
Ramanathapuram District.
- 3.The Revenue Divisional Officer,
Paramakudi,
Ramanathapuram District.
- 4.The Tahsildar,
Kamuthi Taluk,
Ramanathapuram District.
- 5.The Deputy Superintendent of Police,
Kamuthi,
Ramanathapuram District.
- 6.The Inspector of Police,
Kovilankulam Police Station,
Ramanathapuram District.

... Respondents



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PRAYER : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the first respondent to consider the petitioner's representation dated 14.11.2012 based on the Section 6(v) of SC/ST Atrocities Act.

For Petitioner : Mr.P.Muthusamy

For R-1, R3 & R4 : Mr.P.Thilak Kumar,
Government Pleader

For R2, R5 & R6 : Mr.T.Senthil Kumar,
Additional Public Prosecutor

ORDER

[Order of the Court was made by The Hon'ble CHIEF JUSTICE]

Heard the learned counsel appearing on either side.

2. The learned counsel for the petitioner submits that the petitioner is a poor person. The rival group damaged the house of the petitioner and other houses in the village belonging to Schedule Caste people. The damage was worth about Rs.5,00,000/-. Complaint was also filed before the sixth respondent. An F.I.R. was also registered in Crime No.73 of 2012. The learned counsel further submits that the petitioner is not compensated for the loss sustained by him. The respondents were only giving assurance to the petitioner. But, no amount is paid.



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3.Counter affidavit is filed by the fourth respondent stating that as per the report forwarded by the Revenue Inspector and Village Administrative Officer, it transpired that some houses were damaged and eighteen names were forwarded by the Revenue Inspector. The total costs of damages were estimated at Rs.59,500/-. The petitioner has suffered damage of 20 tiles, his apportion for the damage was around Rs.3,000/-. The said amount was sanctioned. However, the affected people refused to accept the compensation, demanding higher compensation for their losses.

4.The learned Additional Public Prosecutor appearing for respondents 2, 5 and 6, submits that the said complaint is concluded in acquittal for the accused persons.

5. Be that as it may, there was no prohibition for the petitioner to accept the amount under protest. If the petitioner is aggrieved by the less amount of compensation, then the petitioner can approach the Special Court under Rule 12 of the Schedule Castes and Scheduled Tribes(prevention of Atrocities), Rules 1989.

6. With these observations, this writ petition is disposed of. No Costs.



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[S.V.G., C.J.]

[K.K.R.K., J.]

28.11.2023

Index : Yes / No
Neutral Citation : Yes / No

PM

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THE HONOURABLE CHIEF JUSTICE
and
K.K. RAMAKRISHNAN, J.

PM

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