



W.P. (MD).No.3736 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 01.12.2023

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD).No.3736 of 2021
and W.M.P(MD)No.2997 of 2021

Mookkayi

... Petitioner

Vs

1. The District Collector,
Karur District, Karur.
2. The Revenue Divisional Officer,
Karur, Karur District.
3. The Inspector of Police,
Thogamalai Police Station, Karur District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ Mandamus, directing the 1st respondent to provide compensation amount of Rs.25,00,000/- and provide education to her grand-son in a good standard school by considering her representation, dated 23.12.2020 within a stipulated time as fixed by this Court.



W.P. (MD).No.3736 of 2021

For Petitioner : Mr.G.D. Manikandan
For Respondents : Ms.D.Farjana Ghoushia(R1,R2)
Special Government Pleader
Mr.R.Sivakumar (R3)
Government Advocate(Crl.Side)

ORDER

When the matter was came up for hearing on 31.03.2023, this Court has passed the following order:

“This writ petition espouses the cause of a young child, now aged about 12 years, who had lost his father in an unfortunate accident during the Jallikattu festival on 16.01.2018.

2.The petitioner, who has approached this Court, is the paternal grandmother of the young child. The petitioner and her grandson belong to the downtrodden community of Hindu Sakkilian Community, which is categorized as Scheduled Caste Community. The petitioner has not only lost her son but also her husband and she is now taking care of the child by doing coolie work. The young child has not only lost his father but also his mother, who after giving 1 birth to the child, had left her matrimonial home and has not been heard of thereafter. It was the petitioner's son, who has taken care of the child.

3.It is the case of the petitioner that on 16.01.2018, her son, Thangaraj had gone to watch the Jallikattu event at R.D.Malai, Kulithalai Taluk, Karur District. The said Thangaraj was standing inside the gallery meant for the spectators near the Bulls exiting place. At that time, a Bull charged out of the arena into the crowd and gored her son on his stomach. He sustained serious blood



W.P. (MD).No.3736 of 2021

injuries and since adequate medical facility and Ambulance were not arranged at the spot of the Jallikattu event, he had to be taken to a private hospital through a private Ambulance, which took considerable time. He was given first-aid at the private hospital and thereafter transferred to the Government Hospital, Trichy, where he succumbed to his injuries on 21.01.2018.

4.The petitioner would further submit that both she and her grandson have become orphans and in order to maintain the family, she was forced to undertake coolie work. She would attribute the accident to the negligence demonstrated by the authorities in not ensuring that proper medical facilities were kept on hand and further that adequate safeguards had not been provided for the viewers. She would submit that it is the duty of the Government not only to maintain the law and order but also to protect the life and properties of its citizens. Therefore, she had submitted a representation through proper channel to the first respondent putting forth her agony and requesting for adequate compensation so as to enable her to bring up her grandson.

5.She would also submit that in order to meet the ends, she had borrowed money from the local money lenders, who are now harassing her for the return of money. She had sought for compensation of Rs.25,00,000/- for providing education to her grandson in a good school.

6.A status report has been filed by the third respondent. In paragraph No.4, they have admitted to the fact that the petitioner's son having been gored to death while watching the Jallikattu event. They have also admitted that he was rushed to the private hospital which would speak volumes



W.P. (MD).No.3736 of 2021

about the medical preparedness at the place, where the event is held.

7.In the light of the above, the first respondent is directed to deposit a sum of Rs.5,00,000/- in any of the nationalized bank earning interest and to provide free education in any Government school for the minor child till he completes his school life. The amount shall be deposited only in the name of the child and the interest amount can be withdrawn every month or on quarterly basis till he attains the age of majority by the petitioner, the paternal grandmother.

8.Post on 27.04.2023.”

2.When the matter was came up for hearing on 08.11.2023, this Court has passed the following order:

“This Court had already directed the first respondent on 31.03.2023 to deposit a sum of Rs.5,00,000/- in a Nationalised Bank earning interest and to provide free education for the minor child in any Government School till he completes his schooling. Thereafter, the matter has been posted atleast on three occasions for reporting compliance. This is the fourth occasion the matter came up before this Court under the caption “for reporting compliance”.

2.The learned Special Government Pleader appearing on behalf of the respondents seeks for one last chance to take instructions from the respondents and to report compliance of the earlier order passed by this Court on 31.03.2023.



W.P. (MD).No.3736 of 2021

3.Post this case under the same caption on 17.11.2023.”

3.When the matter came up for hearing on 17.11.2023, this Court has passed the following order:

“When the matter was taken up for hearing today, the learned Additional Government Pleader appearing on behalf of the respondents submitted that Government Order has been passed in G.O.(2D).No.34, dated 16.11.2023 approving the deposit of a sum of Rs.5,00,000/-. A copy of the said Government Order was also placed before this Court. The learned Additional Government Pleader submitted that the cheque will be made ready within a couple of days and it will be deposited in the bank account within a week.

2.Insofar as free education for the minor child is concerned, the learned Additional Government Pleader submitted that the child is now studying at Government Higher Secondary School, Akkalnayakkanpatti, Viralimalai Taluk, Pudukottai District and that free education will be provided to the child till the child completes the school education.

3.Post this case under the same caption on 01.12.2023”

4.When the matter was taken up for hearing today, it was brought to the notice of this Court that a cheque for a sum of Rs.5 lakhs was already deposited in the bank account of the petitioner. Insofar as



W.P. (MD).No.3736 of 2021

providing education to the child, the learned Special Government Pleader submitted that even on previous occasion an undertaking was given that free education will be provided to the child, till the child completes the school education. The learned Special Government Pleader further submitted that a communication has been addressed in this regard to the District Collector, Pudukottai and the same will be followed up and ensured that necessary education will be provided to the child free of cost. The communication made by the District Collector, Karur to the District Collector, Pudukottai on 28.11.2023 was also placed before this Court.

5.This writ petition is disposed of in the above terms. No costs.

Consequently, connected miscellaneous petition is closed.

01.12.2023

NCC : Yes/No
Internet : Yes/No
Index : Yes/No
PNM



W.P. (MD).No.3736 of 2021

To

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3. The Inspector of Police,
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N.ANAND VENKATESH, J.

PNM

ORDER IN
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