



W.P.(MD).No.8125 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 16.08.2023

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD).No.8125 of 2021

S.Paramakalyani

... Petitioner

Vs.

- 1.The State of Tamil Nadu,
Represented by the Secretary,
Department of Home,
Fort St.George,
Secretariat, Chennai – 9.
- 2.The Secretary,
Department of Adi Dravidar Welfare,
Fort St.George, Secretariat,
Chennai – 9.
- 3.The District Collector,
Collectorate,
Tenkasi District.
- 4.The District Adi Dravidar Welfare Officer,
O/o. the District Adi Dravidar Welfare Office,
District Collector Office Campus,
Tenkasi District.



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5.The Deputy Superintendent of Police,
Alangulam Sub Division,
Tenkasi District.

6.The Inspector of Police,
Pavuruchathiram Police Station,
Tenkasi District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents No.1 to 4 to provide additional relief to the petitioner / victim viz., employment, provision of Agriculture Land and House and full cost of the Education up to graduation level and maintenance of the petitioner's children in light of the serial number 45 & 46 of the Schedule Annexure – I under Rule 12 (4) of The Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Rules, 1995 (as amended in 2016) in connection with the case in Crime No.615/2020 dated 14.12.2020 U/ss.302 of IPC r/w Section 3(1) (r) 3(1)(s), 3(2)(Va) of SC/ST (POA) Act, 2015 by considering the petitioner's representation dated 08.04.2021 within the time stipulated by this Court.

For Petitioner : Mr.I.Pinaygash

For R-1 to R-4 : Mr.C.Baskaran,
Government Advocate.

For R-5 and R-6 : Mr.K.Sanjai Gandhi,
Government Advocate,
(Criminal Side).



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ORDER

This Writ Petition is filed for Mandamus, directing the respondents No.1 to 4 to provide compensation under SC and ST Act and also other reliefs provided under the Act.

2. The petitioner belongs to Schedule Caste Arunthathiyar Community and she is having a six years daughter. There was a dispute and clash in the Village and the petitioner's husband was murdered and a criminal case was registered against the accused. In the meanwhile, the fifth and sixth respondents has considered the death of the petitioner's husband case under SC and ST Act and granted relief to the deceased father. The respondents have granted 50% of the compensation to the deceased father and the petitioner is entitled to balance 50%.

3. Therefore, the respondents shall pay the balance of 50% that is Rs.4,25,000/- to the petitioner. Since the petitioner is having a minor child, the respondents are directed to deposit Rs.2,00,000/- (Rupees Two Lakh only) to the minor child and Rs.2,25,000/- (Rupees Two Lakh Twenty Five Thousand)



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to the petitioner. The said exercise shall be completed within a period of eight (8) weeks from the date of receipt of a copy of this order. The respondents are directed to provide employment to the petitioner as per the provisions of the said Act.

4. With the above direction, this Writ Petition is disposed of. There shall be no order as to costs.

16.08.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
Nsr



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S.SRIMATHY, J.

Nsr

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