



W.P.(MD)No.20058 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.09.2023

CORAM

THE HONOURABLE **DR.JUSTICE D.NAGARJUN**

W.P.(MD)No.20058 of 2023

T.Arunkumar

... Petitioner

Vs

1.The District Collector,
Office of the District Collector,
Tirunelveli, Tirunelveli District.

2.The District Adi Dravidar and Tribal Welfare Officer,
District Collector Office Campus,
Tirunelveli, Tirunelveli District.

3.The Deputy Superintendent of Police – Crime Branch (CID),
Office of the Deputy Superintendent of Police (CBCID),
No.26 D, C Colony, Perumalpuram,
Tirunelveli-627 007.

4.The Inspector of Police,
Crime Branch (CID), South,
CBCID, South, Tirunelveli District.
(Crime No.4 of 2023)

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents to provide relief amount as per the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Amendment Rules, 2016 based on the representation dated 13.06.2023 within a stipulated time that may be fixed by this Court.



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For Petitioner : Mr.Henri Patrick Tiphange
For Respondents : Mr.Veera.Kathiravan,
Additional Advocate General
assisted by Mr.S.Ravi,
Additional Public Prosecutor

ORDER

This Writ Petition is filed seeking for a direction to the respondents to provide relief amount as per the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Amendment Rules, 2016 based on the representation dated 13.06.2023 within a stipulated time that may be fixed by this Court.

2.It is submitted by the learned counsel for the petitioner that the petitioner was under illegal custody and kept in Ambasamudram Police Station, Ambasamudram, Tirunelveli District and tortured and his teeth were also damaged. Therefore, since the petitioner is being a member of scheduled caste community, sought for a direction to pay compensation.

3.The learned Additional Advocate General for the respondents has filed counter affidavit, stating that the petitioner is neither a member of a Scheduled Caste nor Scheduled Tribe and he is a converted Christian. Therefore, he is not entitled for compensation.



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4.The learned counsel for the petitioner submits that he has also enquired the petitioner as to why the fact of converted christian has not been informed.

5.In view of the above, since the petitioner is not a member of SC community, the compensation cannot be granted under the said provision. Accordingly, this Writ Petition is disposed of.

25.09.2023
(1/4)

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

Yuva

To

- 1.The District Collector,
Office of the District Collector,
Tirunelveli, Tirunelveli District.
- 2.The District Adi Dravidar and Tribal Welfare Officer,
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Tirunelveli, Tirunelveli District.
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4.The Inspector of Police,
Crime Branch (CID), South,
CBCID, South, Tirunelveli District.

5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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