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W.P.(MD)NO.17376 OF 2015

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 13.07.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.17376 of 2015

A.Uma Maheswari,
Rep. through her father / guardian
Ashok Kumar.

... Petitioner

Vs.

1. The Government of Tamil Nadu,
Rep. by its Secretary,
Home Department,
St. George Fort,
Chennai.

2. The Commissioner of Police,
Near Anna Stadium,
Palayamkottai,
Tirunelveli District.

3. Somasundaram

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to pay a sum of Rs.15 Lakhs as compensation towards the petitioner's minor daughter's future considering the negligent act of the third respondent which has placed petitioner's daughter's future at peril.

For Petitioner : No appearance.

For R-1 & R-2 : Mr.N.Satheesh Kumar,
Additional Government Pleader.

* * *



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ORDER

None appears for the petitioner.

2. I went through the contents of the affidavit filed in support of the writ petition.

3. As rightly pointed out by the learned Additional Government Pleader, the facts make a heart rending reading. However, the third respondent cannot be made liable for the occurrence. There are two causes namely proximate cause and remote cause. Only for proximate cause, liability can be fastened. For remote causes, no liability can be fastened. It is a case of remote cause. Therefore, the question of issuing any direction does not arise. This writ petition stands dismissed. No costs.

13.07.2023

NCS : Yes / No
Index : Yes / No
Internet : Yes/ No

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To:

1. The Secretary,
Home Department,
St. George Fort,
Chennai.
2. The Commissioner of Police,
Near Anna Stadium,
Palayamkottai,
Tirunelveli District.



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G.R.SWAMINATHAN,J.

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