

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :02.03.2023

CORAM

THE HONOURABLE MR.JUSTICE K. KUMARESH BABU

W.P.(MD).No.9570 of 2015

and

M.P.(MD).No.1 of 2015

Pasumpon

... Petitioner

Vs.

- 1.The Chief Secretary,
Tamil Nadu Government,
Secretariat,
St.George Fort,
Chennai.
- 2.The Director,
Health Department,
Secretariat,
St.George Fort,
Chennai.
- 3.The District Collector,
Madurai District,
Madurai.
- 4.The Superintendent of Police,
Madurai District,
Madurai.

5.The Deputy Collector,
Medical Services and Family Welfare,
Viswanathapuram,
Madurai District.

6.Dr.Ravi,
Deputy Director,
Family Planning,
Government Hospital,
Thirumangalam, Madurai District.

7.Dr.Manikandan
Government Hospital, Thirumangalam,
Madurai District.

8.Mr.Rajakumari,
Government Hospital,
Tirumangalam, Madurai District.

9.Mr.Rajkumar,
Sub Inspector of Police,
Thirumangalam Town Police Station,
Madurai District.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the respondents 1 to 5 to take appropriate legal action based on the representation made by the petitioner dated 18.11.2014 and further directing them to pay a sum of Rs.20 lakhs to the petitioner towards the death of her daughter Palaniammal.

For Petitioner :Mr.A.Jayaramachandran

For Respondents :Mrs.D.Farjana Ghoushia
Special Government Pleader for R1 to R3 & R5

:Mr.R.M.S.Sethuraman
Additional Public Prosecutor for R4

:Mr.T.Cibi Chakrabarthy for R7 & R8

:No appearance for R6 & R9

ORDER

Today, when the matter was taken up for hearing, the learned Special Government Pleader had produced a communication. The petitioner is the mother of one Palaniammal, who had unfortunately died during her medical procedure. Hence, she had filed this writ petition seeking for a compensation of a sum of Rs.20,00,000/- to the petitioner towards the death of her daughter Palaniammal.

2. The learned counsel for the petitioner would submit that the petitioner had taken change of vakalat long back and he has no instructions to appear on behalf of the petitioner.

3. The learned Special Government Pleader had produced a receipt of payment of a sum of Rs.2,00,000/- to the family members of the deceased Palaniammal in the following manner:

<i>S.No</i>	<i>Name</i>	<i>Relationship of the deceased</i>	<i>Amount paid</i>	<i>Mode of payment</i>
1.	Siva Murugan	Husband	Rs.50,000/-	Paid through cheque
2.	Selvan. Siva Bala	Son	Rs.50,000/-	
3.	Selvan.Sivamari	Son	Rs.50,000/-	
4.	Selvan.Palani	Son	Rs.50,000/-	

4. The petitioner herein is the mother of the deceased Palaniammal. The legal heir of the said Palaniammal has been compensated as stated supra and they have not made any further claim. Therefore, the petitioner being the mother of the deceased cannot make any claim through compensation of her deceased married daughter.

5. Accordingly, this writ petition stands dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

02.03.2023

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

sbm

To

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St.George Fort,
Chennai.

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3.The District Collector,
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- 4.The Superintendent of Police,
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- 6.Dr.Ravi,
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K.KUMARESH BABU, J.

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