



W.P(MD)No.434 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.01.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.434 of 2023

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... Petitioner

Vs.

1.The Secretary to Government,
Home Department,
Secretariat, Chennai.

2.The District Collector,
Madurai District,
Madurai.

3.The Branch Manager,
Equitas Bank,
Equitas Small Finance Bank,
220, 2nd Floor, Kamarajar Salai,
Madurai.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents 1 and 2 to grant compensation for the death of the petitioner's husband namely Kumar by considering her representation dated 14.12.2022.



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For Petitioner : Mr.R.Manoharan

For Respondents : Mr.A.K.Manikkam,
Spl. Government Pleader for R1 & R2.
Mr.B.Baskar,
Standing Counsel for R3.

ORDER

Heard the learned counsel for the writ petitioner and the learned Special Government Pleader for the official respondents.

2.The case of the petitioner is that her husband availed loan from the third respondent bank. The petitioner's husband had also mortgaged his property. He could not service the loan and pay the installment on account of the financial crisis induced by the pandemic. The petitioner would allege that the third respondent threatened her husband and as a result, he committed suicide on 31.01.2021. Few other allegations have been in paragraph No.5 of the affidavit filed in support of the writ petition. The petitioner therefore wants this Court to direct the State to pay her compensation.

3.I fail to understand as to how the State can be made liable in this case. Admittedly, the petitioner's husband borrowed money from the third



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respondent. If he had committed default, the creditor was entitled to initiate action. The petitioner's husband unable to bear the stress induced by the financial crises committed suicide. It is definitely an unfortunate occurrence, but the State cannot be made to pay any compensation to the petitioner. No case is made out, the writ petition stands dismissed. No costs.

09.01.2023

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

- 1.The Secretary to Government,
Home Department,
Secretariat, Chennai.
- 2.The District Collector,
Madurai District,
Madurai.



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G.R.SWAMINATHAN, J.

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