



WEB COPY



WP.No.20442/2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.01.2024

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.20442 of 2020

and

W.M.P.No.25222 of 2020

R.Rajkumar

...Petitioner

vs.

The Government of Tamil Nadu,
Rep. by its Addl. Chief Secretary to Government,
Home Department, Fort St.George,
Chennai – 600 009.
Respondent

...

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order passed by the respondent in Letter No.27746/Police-XI/2019-5 dated 15.10.2019 and quash the same and further direction directing the respondent to enhance the amount of compensation sought by petitioner in representation dated 21.08.2019 within the stipulated period fixed by this Court.

For Petitioner	: Mr.A.Ilangovan.
For Respondent	: Mr.G.Krishnaraja,



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Additional Government Pleader.

ORDER

The Order dated 15.10.2019 issued by the Additional Chief Secretary to Government is under challenge in the present writ proceedings.

2.The grievances of the writ petitioner is that false criminal cases were registered against him and all those criminal cases ended with an order of acquittal. Though a sum of Rs.5,000/- has been granted towards compensation, the learned counsel for the petitioner would contend that the writ petition has been instituted seeking enhancement of compensation. The petitioner was continuously harassed by the police authorities by registering multiple criminal cases, which resulted in filing of representations to the Government for providing compensation.

3.Mere acquittal in a criminal case would provide no cause to seek compensation from the Writ Court under Article 226 of the Constitution of India. Such relief can be sought for even in the criminal proceedings under the Code of Criminal Procedure.



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4.The learned Government Pleader would submit that the Government has already sanctioned Indira Gandhi National Old Age Pension Scheme to the writ petitioner and further a free housing site patta also has been issued in favour of the petitioner in S.No.44/13 Ryat Manai, 0.01.0 Ares at 9A Nathampannai Village in Pudukottai District in patta no.842.

5.When the Government has already sanctioned old age pension and issued free house site patta to the writ petitioner, this Court cannot grant any further compensation in a writ proceedings. If any false case has been registered against the petitioner, it is to be established before the competent Court for the purpose of seeking compensation in the manner known to law.

6.With these observations, the Writ Petition stands dismissed. No costs. Consequently, the connected miscellaneous petition is closed.

04.01.2024

Tsg
Index : Yes/No
Internet:Yes/No
Speaking Order/Non-speaking Order



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S.M.SUBRAMANIAM, J.

Tsg

To

The Additional Chief Secretary to Government,
Government of Tamil Nadu,
Home Department, Fort St.George,
Chennai - 600009.

W.P.No.20442 of 2020

04.01.2024