



WEB COPY



W.P.No.22733 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.08.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.22733 of 2024

S.Soniya

.... Petitioner

Vs

1. The Principal Secretary /
Commissioner of Revenue Administration,
Commissionerate of Revenue Administration,
Ezhilgam, Chepauk, Chennai – 600 005.

2. The District Collector
Chennai District,
Singaravelar Maaligai, Chennai – 600 001.

3. The Commissioner
Corporation Of Chennai,
Rippon Buildings, Chennai – 600 003.

4. The Inspector Of Police
F4, Thousand Lights Police Station,
Chennai – 600 006.

5. Pugazhendhi

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Mandamus directing the Respondents No.1 to 3 herein to pay a sum of Rs.10,00,000 /- as a compensation and other benefits as stipulated by the Tamil Nadu



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Government in this regard, if any, based on the petitioner's representation dated 11.06.2024.

For Petitioner : Mr.V.Ramana Reddy
For R1 & R2 : Mr.P.Gurunathan
Additional Government Pleader
For R3 : Mr.D.B.R. Prabhu
Standing Counsel
For R4 : Mr.A.Gopinath
Government Advocate (Crl.Side)

ORDER

This Writ Petition has been filed for a direction, directing the respondents 1 to 3 to pay compensation of Rs.10,00,000/- and other benefits.

2. Heard the learned counsel appearing for the petitioner, the learned Additional Government Pleader appearing for the first and second respondents, the learned Standing Counsel appearing for the third respondent and the learned Government Advocate (Crl.Side) appearing for the fourth respondent.

3. The petitioner and his family members are residing within the premises of the Nungambakkam Corporation Park. They were maintaining the park and doing gardening work in the said Corporation



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Park. While being so, the fifth respondent and his family members, who were residing opposite to the said Corporation Park, were raising Rottweiler dogs. While being so, on 05.05.2024, the dog belongs to the fifth respondent entered into the park without chain or belt and attacked the daughter of the petitioner, who is aged about five years. The dog had bitten the petitioner's daughter and she sustained serious injuries. Immediately, she was admitted in the hospital and was given treatment.

4. Based on the said occurrence, a complaint was lodged and the same has been registered an FIR in Crime No.74 of 2024 for the offences under Sections 289 and 336 of IPC as against the fifth respondent and his family members. While being so, the petitioner submitted a representation to the respondents 1 to 3 seeking compensation. There was no response and hence this writ petition.

5. Admittedly, the dog belonging to the fifth respondent had bitten the daughter of the petitioner. After registration of the FIR, the fourth respondent completed investigation and filed a final report before the XIV Metropolitan Magistrate, Egmore, Chennai and it is pending for taking cognizance. Further, admittedly, the petitioner and his family



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members are residing inside the park and just opposite to the house of the fifth respondent. Therefore, the respondents 1 to 3 are not at all liable to pay compensation as the dog belonged to the fifth respondent.

6. Hence, this writ petition is devoid of merits and is liable to be dismissed. Accordingly, this writ petition stands dismissed. If at all any claim is available for the petitioner, it is only as against the fifth respondent. No costs.

12.08.2024

Internet: Yes

Index : Yes/No

Speaking/Non Speaking order

Neutral Citation : Yes/No

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To

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G.K.ILANTHIRAIYAN. J,

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