



WEB COPY



W.P.No.23385 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.09.2024

CORAM

THE HONOURABLE MR. JUSTICE G.K. ILANTHIRAIYAN

W.P.No.23385 of 2024

S. Muthulakshmi

... Petitioner

Vs.

1. The Commissioner,
Greater Chennai Corporation,
Chennai 600 003.

2. The Public Relations Officer,
Greater Chennai Corporation,
Chennai 600 003.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus to direct the respondents to consider petitioner's representation dated 19.12.2023 to issue compensation to the petitioner .

For Petitioner : Mr.S.Rajini

For Respondents : Mr. D.B.R. Prabhu

ORDER

1 of 6



W.P.No.23385 of 2024

WEB COPY

This Writ Petition is filed by the petitioner seeking a direction to the respondents to consider the representation of the petitioner dated 19.12.2023 requesting to issue compensation to the petitioner .

2. It is the case of the petitioner that while, she was waiting in the bus stop to reach her home, the shutter of the bus stop suddenly fell down on her, due to which, she sustained injury on her spinal chord . Immediately, she was taken to hospital and was given treatment. She was advised to take bed rest after discharging from hospital. Due to heavy pain, she was not able to continue her avocation as before and the same affects the petitioner physically and economically. Therefore, the petitioner submitted a representation on 19.12.2023 to the respondents seeking compensation for the injuries and mental agony sustained by her due to the accident. However, the respondents did not consider her representation and kept the same pending till date. Hence, left with no other alternative, the petitioner has preferred the present writ petition.

3. Learned counsel appearing for the respondent/Corporation



submitted that this court, in the matters involving similar issues has already issued a direction in W.P.No.8385 of 2014 and W.P.No.35028 of 2012 along with W.P.No.30655 of 2013, in the order dated 29.10.2021. The relevant portion of the above said order reads thus:

“....22. The Principal Secretary, Revenue and Disaster Management Department, Government of Tamil Nadu, Chennai 600 009 is suo-motu impleaded as respondent R3 in all these writ petitions for the purpose of participating in the discussion to be conducted by the State for formulating guidelines.

23. In view of the facts and circumstances, this Court is inclined to pass the following orders:

(1) The respondents are directed to formulate the guidelines and determine the quantum of compensation/ex gratia to the victims of accidents occurring in public places within a period of eight weeks from the date of receipt of a copy of this order.

(2) The writ petitioners are directed to submit their respective applications to the competent authority for compensation/ex gratia within a period of 12 weeks from the date of receipt of a copy of this order and the said applications are to be considered based on the guidelines to be formulated and the decision is to be taken within a period of eight weeks from the date of issuance of the guidelines/policies to be formulated by the respondents.

(3) Payment of compensation /ex gratia by the Government is not a bar for the eligible victims to claim Insurance benefits and compensations under various other welfare legislations in the manner known to law.



24. *With the above directions, these writ petitions stand disposed of. No costs. Consequently, connected miscellaneous petition is closed.....”*

4. He further submitted that pursuant to the abovesaid order, the Principal Secretary, Revenue and Disaster Management Department, Government of Tamil Nadu, Chennai has constituted a Committee to finalise the compensations which are to be fixed uniformly. Therefore, upon considering petitioner's representation, compensation will be awarded after receiving the orders from the Principal secretary, Revenue and Disaster Management Department, Government of Tamil Nadu.

5. In view of the above, the 1st respondent is directed to pass orders on the representation of the petitioner in the light of the directions issued by this court by order dated 29.10.20219 as per the order passed by the Principal secretary, Revenue and Disaster Management Department, Government of Tamil Nadu within a period of twelve weeks from the date of receipt of a copy of this order.

6. This Writ Petition is disposed of with the above direction. No



W.P.No.23385 of 2024

costs.

WEB COPY

20.09.2024

msr

Index: Yes/No

Internet: Yes/No

To

1. The Commissioner,
Greater Chennai Corporation,
Chennai 600 003.
2. The Public Relations Officer,
Greater Chennai Corporation,
Chennai 600 003.

G.K. ILANTHIRAIYAN, J.
msr



WEB COPY



W.P.No.23385 of 2024

W.P.No.23385 of 2024

20.09.2024