



W.P.No.32854 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.11.2024

CORAM:

THE HONOURABLE MR. JUSTICE S.SOUNTHAR

W.P.No.32854 of 2024

Nagavalli Sankar

... Petitioner

Vs.

1.The State

Represented by its Principal Secretary
Social Welfare and Women empowerment Department
Fort St. George, Secretariat, Chennai 600 009.

2.The Director

Department of Children Welfare and Special Services
Old No.153, New No.300
Purasawalkam High Road
Kellys, Chennai 600 010.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the second respondent to consider the representation dated 12.09.2024 made by the petitioner for the release of the



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compensation of Rs.2,50,000/- (Two Lakhs and Fifty Thousand) ordered by the learned Special Court for Exclusive Trial of Cases under POCSO Act, Chengalpattu in Special S.C.No.35 of 2019 through its judgment dated 27th November 2023 expeditiously.

For Petitioner : Ms.Deepika Murali

For Respondents : Mr.V.Jeevagiridharan
Additional Government Pleader

ORDER

The petitioner herein seeks a direction to the second respondent to consider the representation of the petitioner dated 12.09.2024 seeking release of compensation of Rs.2,50,000/- ordered by the Special Court for Exclusive Trial of Cases under POCSO Act, Chengalpattu in Special S.C.No.35 of 2019 dated 27.11.2023.

2. It is the case of the petitioner that she is the mother of the victim in Special S.C.No.35 of 2019 on the file of the Special Court for Exclusive Trial for Cases under the POCSO Act, Chengalplattu and by the



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judgment dated 27.11.2023, the Special Court had convicted the accused and directed payment of compensation of Rs.3,00,000/-. The petitioner already received a sum of Rs.50,000/- and the remaining amount has not been paid to the petitioner till date.

3. The learned counsel for the petitioner contended that as per Rule 9(5) of the POCSO Rules, 2020, the compensation amount ordered by the Special Court shall be paid within 30 days of receipt of such order and in the case on hand, even after one year, the amount has not been paid to the petitioner. Therefore, the petitioner submitted a representation on 12.09.2024 and the same has not been considered till date. Hence, the petitioner is before this Court.

4. Mr.V.Jeeva Giridharan, learned Additional Government Pleader, who takes notice for the respondents, would submit that the representation of the petitioner will be considered on its own merits, within a time frame fixed by this Court.



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5. In view of the same, without going into the merits of the claim made by the petitioner, this Court is inclined to issue a direction to the second respondent to consider the representation of the petitioner dated 12.09.2024 and pass final order, on its own merits, within a period of four weeks from today.

6. With the above direction, this Writ Petition is disposed of. No costs.

05.11.2024

Index : Yes / No
Internet : Yes / No
dna

To

1.The Principal Secretary
Social Welfare and Women empowerment Department
Fort St. George, Secretariat, Chennai 600 009.

2.The Director
Department of Children Welfare and Special Services
Old No.153, New No.300
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S.SOUNTHAR, J.

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