



W.P.(MD)No.5141 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **28.11.2024**

CORAM:

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

W.P.(MD)No.5141 of 2019

and

W.M.P.(MD)No.4129 of 2019

K.Meenakshi

... Petitioner

-Vs-

1.The Government of Tamil Nadu,
Rep. by the Secretary,
Department of Scheduled Castes and
Scheduled Tribes Welfare,
Secretariat, Chennai.

2.The District Collector,
District Collectorate,
Madurai, Madurai District.

3.The District Scheduled Castes and
Scheduled Tribes Welfare Officer,
Collectorate, Madurai-20.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the 2nd respondent herein to provide the balance relief amount under Rule 12(4) and Sl.No.45 of the Annexure No.1 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Rules, 1995 amended on 14.04.2016 within the time stipulated by this Court.



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For Petitioner : Mr.S.Rajasekar,
for M/s.T.Lajapathi Roy & Associates
For Respondents : Mr.S.Shanmugavel,
Additional Government Pleader

ORDER

The petitioner seeks a direction to the 2nd respondent to provide the balance relief amount under Rule 12(4) and Sl.No.45 of the Annexure No.1 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Rules, 1995 amended on 14.04.2016 within the time stipulated by this Court.

2.It is the case of the petitioner that she belongs to scheduled castes and scheduled tribes community. Her son, namely, Chandran, was murdered on 05.05.1995 and a case has been registered in Crime No.413 for the offences under Sections 147, 148, 341, 323 and 302 IPC r/w Section 3(1)(iii) and 3(1)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter referred to as 'the SC & ST Act'). After completion of the investigation, final report has been filed and the same has been taken cognizance in S.C.No.232 of 1999 on the file of the Principal District Sessions Court, Thoothukudi and it was ended in acquittal on 22.06.1999. However, since the petitioner is entitled for compensation under the SC & ST Act, she received a sum of Rs.1,00,000/- as a relief amount. Subsequently, it was



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enhanced to a sum of Rs.2,00,000/- vide G.O.(Ms)No.833, dated 22.05.1998.

Therefore, the petitioner made an application before the 2nd respondent, which was rejected.

3.Challenging the same, the petitioner has filed W.P.(MD)No.2951 of 2011, wherein this Court, vide order dated 09.01.2017, directed the petitioner to make a fresh application, since she is entitled for compensation of Rs.8,25,000/- as prescribed under Rule 12(4) of the SC & ST Rules along with additional reliefs as prescribed under Sl.Nos.45 and 46 of Annexure I to Rule 12(4) of the Rules and also directed the 2nd respondent to consider the same and pass appropriate order within a period of twelve weeks from the date of receipt of a copy of the order. Pursuant to the said order, the petitioner made a fresh application before the 2nd respondent. However, the same is still pending. Therefore, she has filed this Writ Petition.

4.Heard the learned counsel on either side and perused the materials available on record.

5.Considering the facts and circumstances of the case, this Court directs the 2nd respondent to consider the application made by the petitioner in



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the light of the order passed by this Court in W.P.(MD)No.2951 of 2011, dated 09.01.2017 and pass appropriate order on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

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

Consequently, connected miscellaneous petition is closed.

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Index : Yes / No
NCC : Yes / No

Yuva

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