



W.P.(MD)No.13484 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.02.2024

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.13484 of 2022

M.Rengammal

... Petitioner

Vs.

- 1.The Principal Secretary to the Government,
Home Department,
Fort St. George, Chennai-9.
- 2.The Director General of Police,
Office of the Director General of Police,
No.601, Dr.Radhakrishnan Salai,
Mylapore, Chennai.
- 3.The Inspector of Police,
Thallakulam Police Station,
Madurai City, Madurai.
Crime No.74 of 2022
- 4.Mr.Pulikutty Ayyanar,
Officer of Thallakulam Police Station,
Thallakulam Police Station,
Madurai City.
- 5.Mr.Ranjith
Officer of Thallakulam Police Station,
Thallakulam Police Station,
Madurai City.
- 6.Mr.Senthilkumar,
Officer of Thallakulam Police Station,
Madurai City.



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7.Mr.Durai Murugan,
Officer of Thallakulam Police Station,
Thallakulam Police Station,
Madurai City.

... Respondents

PRAYER:- Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus, to direct the respondents 1 to 7 to pay a sum of Rs.25 lakhs as compensation to the petitioner for the death of her son and also to direct the second respondent to initiate appropriate disciplinary action against the respondents 3 to 7 including recovery of the compensation amount from them within the time period stipulated by this Court.

For Petitioner : Mr.T.Lajapathi Roy
Senior Counsel
for Mr.S.Rajasekar

For Respondents : Mr.B.Nambiselvan
Additional Public Prosecutor for R1 to R3

No Appearance for R4 to R6

ORDER

The Writ Petition has been filed to direct the respondents 1 to 7 to pay a sum of Rs.25 lakhs as compensation to the petitioner for the death of her son and also to direct the second respondent to initiate appropriate disciplinary action against the respondents 3 to 7 including recovery of the compensation amount from them within the time period stipulated by this Court.



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2.The case of the petitioner is that the petitioner's son was arrayed as an accused in Crime No.74 of 2022 on the file of the third respondent police and he died on 19.01.2022 by self-immolation near Ambedkar Statue next to the third respondent police because of the torture made by the respondents 3 to 7 at Tallakulam Police Station, Madurai.

3.The learned Senior Counsel appearing for the petitioner would submit that the matter relates to custodial death, for which, the petitioner/mother filed the present petition for payment of Rs.25 lakhs as compensation. However, this Court may permit the petitioner to file an appropriate complaint before the concerned District Legal Services Authority in terms of the Tamil Nadu Victim Compensation Scheme for Women Victims/Survivors of Sexual Assault/Other Crimes, 2018, within a period of two weeks and thereafter, the District Legal Services Authority may conduct an adjudication between the petitioner and the respondents police and pass appropriate orders within a period of six months therefrom.

4.The learned Additional Public Prosecutor appearing for the respondents 1 to 3 would submit that it is not a case of custodial death and that investigation is pending before the third respondent police with regard to the death of the



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petitioner's son. However, the learned Additional Public Prosecutor has no serious objection for filing the claim before the District Legal Services Authority under the Tamil Nadu Victim Compensation Scheme for Women Victims/Survivors of Sexual Assault/Other Crimes, 2018.

5. In view of the same, without expressing any opinion, this Court is inclined to permit the petitioner to file an appropriate claim under the Tamil Nadu Victim Compensation Scheme for Women Victims/Survivors of Sexual Assault/Other Crimes, 2018 before the District Legal Services Authority, Madurai, within a period of two weeks from the date of receipt of a copy of this order. On receipt of such claim, the District Legal Services Authority, Madurai, is directed to conduct an adjudication between the petitioner and the respondents police and pass appropriate orders within a period of six months therefrom.

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

Index : Yes/No
Internet : Yes/No
NCC : Yes/No
Sji

05.02.2024



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WEB COPY

To

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- 3.The Inspector of Police,
Thallakulam Police Station,
Madurai City, Madurai.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

**Copy to
The District Legal Services Authority,
Madurai.**



WEB COPY



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M.DHANDAPANI, J.

Sji

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