



W.P (MD).No.26391 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.11.2024

CORAM

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

W.P (MD).No.26391 of 2024

T.Rasendran

...Petitioner

Vs.

1.The District Collector,  
Madurai District,  
Madurai.

2.The Superintendent of Police,  
Madurai District,  
Madurai.

...Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the first respondent to disperse the 100% solatium for the death of the petitioner's minor daughter in accordance to the Schedule Caste and Scheduled Tribe (POA) Rule 1995 Schedule, Annexure-I (Rule 12(4) Sl.No.45 and the respondents to file action taken report in accordance No.TN/11/2020/APCR dated 11.08.2020 of the Chairman Scheduled Caste National Commissioner New Delhi and also based on the petitioner's representation dated 27.03.2019, 06.01.202, 30.07.2021 within a stipulated time.



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For Petitioner : Mr.M.Rajendran  
For R1 : Mr.S.Shanmugavel  
Government Advocate  
For R2 : Mrs.M.Aasha  
Government Advocate (Crl.side)

### **ORDER**

This writ petition has been filed for direction, directing the first respondent to pay compensation for the death of his minor daughter in accordance with law with the SC & ST Act and rules.

2. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

3. The petitioner is a father of the minor girl, aged about 14 years, who was married to one Karthikannan. While being so, she died by hanging herself on 16.05.2018. In pursuant to the same, the Inspector of Police Anna Nagar Police Station, Madurai has registered FIR in Cr.No.667 of 2018 under Section 174 Cr.P.C., Thereafter, there was no progress and as such, the petitioner was constrained to approach this Court by filing a writ petition in W.P(MD)No.17036 of 2019 seeking direction to register a fresh FIR by



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incorporating the relevant penal provisions. This Court, by order dated 02.08.2019 dismissed the writ petition and directed the petitioner to approach the competent authority for compensation.

4. Since during the investigation, it was found that the deceased was only 14 years at the time of marriage, the matter was sent to the Child Welfare Committee for getting report. That apart, the petitioner, who has being the father of minor girl, did not even whisper about any allegation as against her in-laws. Only after alteration of offence or final report, the petitioner is entitled for compensation. Therefore, direction sought for compensation by the petitioner is premature.

5. In view of the above, the Inspector of Police, Anna Nagar Police Station, Madurai is directed to complete the investigation in Cr.No.667/2018 and file a final report within a period of twelve (12) weeks from the date of receipt of a copy of this order, if not already filed.

6. Accordingly, the petitioner is at liberty to seek compensation under Section 12(4) of the SC & ST (POA) Rule 1995.



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7. With the above direction, this writ petition is disposed of. No costs.

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Internet : Yes

Index : Yes/No

Speaking/Non Speaking order  
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**04.11.2024**

To

1.The District Collector,  
Madurai District,  
Madurai.

2.The Superintendent of Police,  
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**G.K.ILANTHIRAIYAN, J.**

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