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W.P.(MD) No.14601 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.01.2024

CORAM:

**THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR
and
THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN**

**W.P.(MD) No.14601 of 2017
and
W.M.P.(MD) No.11451 of 2017**

S.Ravi Sankar

... Petitioner

-VS-

- 1.The State of Tamil Nadu
rep.by the Secretary
Department of Home
Fort St.George, Secretariat
Chennai-9
- 2.The Secretary
Department of Adi Dravidar Welfare
Fort St.George, Secretariat
Chennai-9
- 3.The District Collector
Collectorate
Tirunelveli District
- 4.The District Collector
Collectorate
Tuticorin District



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- 5.The District Adi Dravidar Welfare Officer
O/o.The District Adi Dravidar Welfare Officer
District Collector Office Campus
Tirunelveli District
- 6.The District Adi Dravidar Welfare Officer
O/o.The District Adi Dravidar Welfare Office
District Collector Office Campus
Tuticorin District
- 7.The Ministry of Social Justice and Empowerment
rep.by its Secretary
Government of India
Room No.636-A Wing
Shastri Bhawan
Dr.Rajendra Prasad Road
New Delhi-110 001
[R7 is *suo motu* impleaded vide Court
order dated 05.01.2018]

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the respondents to provide employment to one member of the family of the deceased or pension or agricultural land, an house to the victims; along with education and maintenance to the children of the victim of the murder and rape under serial number 46 of the Schedule Annexure-I under Rule 12(4) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Rules, 1995 (as amended in 2016) to the victims mentioned in para 11 of the affidavit, within the time stipulated by this Court.



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For Petitioner : Mr.S.Rajasekar
for M/s.T.Lajapathi Roy and Associates

For Respondents : Mr.N.Satheesh Kumar
Additional Government Pleader for R1 to R6
Mr.R.Nandakumar
Senior Panel Counsel – Central Government for R7

ORDER

[Order of the Court was made by D.KRISHNAKUMAR, J.]

Prayer in this writ petition is to direct the respondents to provide employment to one member of the family of the deceased or pension or agricultural land, an house to the victims; along with education and maintenance to the children of the victim of the murder and rape, under serial number 46 of the Schedule Annexure-I under Rule 12(4) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Rules, 1995 (as amended in 2016) to the victims as mentioned in para 11 of the affidavit, within the time stipulated by this Court.

2. The grievance of the petitioner is that though he submitted a detailed representation to the respondents as early as on 01.05.2017 seeking the relief as stated above, the same has not been considered by the respondents so far.



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3. The fifth respondent has filed a counter stating that with regard to the cases i.e.31 in number in Tirunelveli District, 75% of monetary reliefs have already been paid to the dependents. Further, he has stated that every possible steps are being taken for implementing the provisions of the Acts and Regulations under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act and Rules with utmost care and sincerity and also without any delay.

4. In view of the above statement, the fifth respondent is directed to pay the remaining monetary benefits due to the dependents as expeditiously as possible.

5. At this juncture, learned counsel for the petitioner requested to issue a direction to the respondents to provide employment to the dependents.

6. With regard to the relief of providing employment, the victims shall approach the authority concerned by making a representation within a period of two weeks from the date of receipt of a copy of this order. On making



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such representation, the authority concerned shall consider the same and take appropriate decision, within a period of eight weeks thereafter, irrespective of the fact that the occurrence is taken prior to 2016.

7. With the above directions, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

[D.K.K., J.]

[K.K.R.K., J.]

18.01.2024

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

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To:

- 1.The Secretary,
Department of Home,
State of Tamil Nadu,
Fort St.George,
Secretariat,
Chennai-9.
- 2.The Secretary,
Department of Adi Dravidar Welfare,
Fort St.George, Secretariat,
Chennai-9.
- 3.The District Collector,
Collectorate, Tirunelveli District.



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- 4.The District Collector,
Collectorate,
Tuticorin District.
- 5.The District Adi Dravidar Welfare Officer,
O/o.The District Adi Dravidar Welfare Officer,
District Collector Office Campus,
Tirunelveli District.
- 6.The District Adi Dravidar Welfare Officer,
O/o.The District Adi Dravidar Welfare Office,
District Collector Office Campus,
Tuticorin District.
- 7.The Secretary,
Ministry of Social Justice and Empowerment,
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