



W.P.(MD)No.14742 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.08.2024

CORAM

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.(MD)No.14742 of 2017

Kalyani

... Petitioner

Vs.

1.***

2.***

3.The Secretary,
Adi-Dravidar & Tribal Welfare Department,
Government of Tamil Nadu,
Secretariat,
Chennai.

4.The District Collector,
Collectorate Complex,
Madurai,
Madurai District.

5.The District Adi Dravidar and
Tribal Welfare Officer,
Madurai,
Madurai District.

... Respondents

(R-1 and R-2 are deleted vide Court Order dated 20.08.2024 in W.P.(MD)No. 14742 of 2017)

(R-4 and R-5 are amended vide Court Order dated 16.04.2024 in W.M.P.(MD)No.13482 of 2017 in W.P.(MD)No.14742 of 2017)



W.P.(MD)No.14742 of 2017

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the fourth respondent to consider the petitioner's representation dated 16.06.2017 to grant additional relief in the manner of basic pension with dearness allowance and employment to the petitioner's daughter.

For Petitioner : Ms.S.E.Veronica Vincent

For R-3 to R-5 : Mr.R.Suresh Kumar
Additional Government Pleader

ORDER

The present Writ Petition is filed praying for a Mandamus, directing the fourth respondent to consider the petitioner's representation dated 16.06.2017 to grant additional relief with regard to basic pension with dearness allowance and employment to the petitioner's daughter.

2. It is submitted by the learned counsel for the petitioner that the petitioner's husband namely Ayappan belonged to Scheduled Caste and he was murdered on 04.06.2014. Pursuant thereto, a case was registered in Crime No. 129 of 2014 for the offence under Sections IPC 365, 201 and 302 r/w 3(2)(v), 3(1)(x) of SC/St Act, 1989. The family of the petitioner was



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in indigent circumstances on account of the demise of petitioner's husband. In

WEB COPY this regard, the petitioner submitted representations on 16.06.2017 and 03.08.2017 before the fourth respondent seeking additional relief of basic pension with dearness allowance and employment to her daughter under Section 12(4) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) (Amendment) Rules, 2011. Since no action was taken, the present petition is filed.

3. It is further submitted by the learned counsel for the petitioner that during the pendency of the Writ Petition, the petitioner has passed away leaving behind her son and daughter and the son is undergoing psychiatric treatment in the hospital and therefore, notice may be issued to the daughter of the petitioner viz., Nandhini, which is agreed to by the learned Additional Government Pleader for the respondents.

4. It is submitted by the learned Additional Government Pleader that the the representation of the petitioner would be considered and orders would be passed by the respondents 4 and 5, in accordance with law, after issuing notice to the petitioner's daughter.

5. Recording the same, this Writ Petition stands disposed of with a



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direction to the respondents 4 and 5 to consider the petitioner's representation dated 16.06.2017 and pass orders on merits and in accordance with law within a period of four (4) weeks from the date of a copy of this order, after issuing notice to the petitioner's daughter. It is made clear that this Court has not expressed any views with regard to the merits of the representation and it is open to the concerned respondent to consider the representation on its own merits and in accordance with law. There shall be no order as to costs.

20.08.2024

NCC:yes/no

Index:yes/no

Internet:yes/no

Nsr

To:

1.The Secretary,
Adi-Dravidar & Tribal Welfare Department,
Government of Tamil Nadu,
Secretariat, Chennai.

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

3.The District Adi Dravidar and
Tribal Welfare Officer,
Madurai,
Madurai District.

MOHAMMED SHAFFIQ, J.



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20.08.2024