



W.P(MD)No.2570 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 04.07.2025

CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.2570 of 2024

J.Meena

... Petitioner

vs.

1. The District Collector,
Madurai District,
Madurai.

2. The Chairperson,
District Legal Services Authority,
Madurai District Court Campus,
Madurai.

3. The Commissioner of Police,
Office of the Commissioner of Police,
Madurai City, Madurai.

4. The Inspector of Police,
Sellur Police Station,
Madurai District, Madurai.

...Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the 2nd respondent to provide compensation to the petitioner under Tamilnadu Victim Compensation Scheme, 2013, on the basis of the petitioner's representation, dated 26.10.2023, within the time stipulated by this Court .

For Petitioner
For R1 & R2

:Mr.T.Thirumurugan
:Mr.S.Shanmugavel
Additional Government Pleader

For R3 & R4

:Mrs.M.Aasha
Government Pleader (Criminal side)



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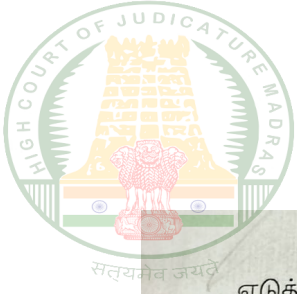
ORDER

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The present Writ Petition has been filed for the issuance of a Writ of Mandamus, to direct the 2nd respondent to provide compensation to the petitioner under Tamilnadu Victim Compensation Scheme, 2013, on the basis of the petitioner's representation, dated 26.10.2023.

2. The facts of the case is that on 06.09.2023, the petitioner's husband was found injured, then he was treated from 06.09.2023 to 09.09.2023, but not recovered, finally died on 09.09.2025 at about 01.15pm. Based on the complaint, FIR was registered under Crime No. 1117 of 2023 under Section 174(3) of Cr.P.C. Based on this said FIR, the petitioner has preferred the present writ petition claiming compensation under Tamilnadu Victim Compensation Scheme, 2013.

3. The contention of the petitioner is that the petitioner's husband was injured due to inflicting injury by some criminal acts. But the respondents submitted that after investigation, the police officials have recorded that the petitioner's husband died due to road accident. The relevant portion of the investigation report is extracted hereunder:



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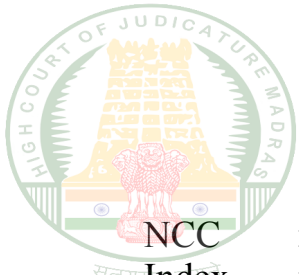
எனது பார்வைக்கு வைக்கப்பட்ட இவ்வழக்கினை எனது விசாரணை
எடுத்துக்கொண்டு சம்பவ இடம் சென்று பார்வையிட்டு பார்வை மகஜர் மாதிரி வரைபடம்
தயார் செய்ததிலிருந்தும் சாட்சிகளை விசாரித்து வாக்குமூலம் பதிவு செய்ததிலிருந்தும்
பிரேத பரிசோதனை அறிக்கையிலிருந்தும் இவ்வழக்கில் இறந்த நபரான ஜவஹர் 45/23
த/பெ முருகன், 110 கணேசபுரம் கண்மாய் கரை, தத்தனேரி, மதுரை என்பவரது இறப்பிற்கு
வாகனவிபத்து தான். காரணம் என்பது புலனாய்வில் தெளிவாக தெரியவந்ததால்
இவ்வழக்கின் சட்டப்பிரிவு 174(1) CrPC ஐ பிரிவு 304(A) IPC ஆக பிரிவு மாறுதல் செய்து இந்த
அறிக்கையை சமர்ப்பிக்கின்றேன்.

4. If the injury is due to road accident, then the petitioner ought to file Motor Accident Claim Petition. But the contention of the petitioner is that since the offender could not be found out, the petitioner is having difficulty in filing M.C.O.P.

5. After hearing the submissions this Court is of the considered opinion that if the petitioner is paid some amount the same would meet the ends of justice. Therefore, the respondents are directed to grant Rs.1,00,000/- (Rupees One Lakh only) to the petitioner under Tamilnadu Victim Compensation Scheme, 2013, within a period of 4 weeks from the date of receipt of a copy of this order.

6. With the above observations, this Writ Petition is disposed of.
There shall be no order as to costs.

04.07.2025



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NCC : Yes / No

Index : Yes / No

Internet : Yes

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To:

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Madurai.
2. The Chairperson,
District Legal Services Authority,
Madurai District Court Campus,
Madurai.
3. The Commissioner of Police,
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S.SRIMATHY, J.

Tmg

**ORDER MADE IN
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DATED : 04.07.2025