



W.P.(MD)No.3385 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **09.01.2025**

CORAM:

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

W.P.(MD)No.3385 of 2024

Iqbal

... Petitioner

/Vs./

1. The Chief Education Officer
O/o.Education Councils and Boards Office,
Palakkarai, Trichy District.
2. The District Child Protection Officer,
O/o.District Child Protection
Office Unit, Melaputhoor,
Trichy District.
3. The Correspondent of Khajamian School,
O/o.Khajamian Higher Secondary School,
Kamarajar Colony, Trichy.
4. Murugadas
5. The Inspector of Police,
KKNagar Police Station,
Tiruchirappalli.
(R5 is suo motu impleaded vide Court order
dated.15.02.2024 in WP(MD).3385/2024)

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to
issue a Writ of Mandamus, directing the first respondent to provide



W.P.(MD)No.3385 of 2024

adequate monetary compensation to petitioner's son from respondents 3 and 4 by consider the petitioner's representation dated 12.02.2024 since petitioner's son has been mentally disordered by the brutal act of Respondent No.4 who is employed under the third respondent institution.

For Petitioner : Mr.SMA. Jinnah

For Respondents : Mr.V.Om Prakash

Government Advocate for R1

: Mrs.M.Aasha

Government Advocate(Crl.side) for R2&5

: Mr.N.Shanmuga Selvam for R4

ORDER

This Writ Petition has been filed for a direction, directing the first respondent to provide adequate monetary compensation to the petitioner's son, for the injuries sustained by him, while he was studying in the third respondent School and brutally beaten by the fourth respondent.

2. Heard the learned counsel on either side and perused the materials placed before this Court.



W.P.(MD)No.3385 of 2024

WEB COPY

3. The petitioner's son, who is aged about 15 years, was studying in 9th standard in the third respondent School, while returning from the school, on 03.10.2023, he sustained injuries on over his body, due to brutal attack by the fourth respondent, who is working under the third respondent School. Therefore, he sustained mental agony and during sleeping, he blabbering. Therefore, he was taken treatment and spent Rs.3,00,000/- (Rupees Three Lakhs only) for his treatment. Therefore, the petitioner submitted representation seeking monetary compensation from the respondents 1 and 2, who are being the supervising officers of the third respondent School.

4. The alleged occurrence had taken place on 03.10.2023, whereas, on the belated complaint, the F.I.R has been registered in Crime No.1483 of 2023 on 02.12.2023, for the offence under Section 75 of the Juvenile Justice (Care and Protection of Children) Act, 2015. Now, the investigation is under progress.

5. Admittedly, the third respondent School is an aided School, in which, the fourth respondent is working as Social Science Teacher.



W.P.(MD)No.3385 of 2024

However, the respondents 3 and 4 denied the entire allegations made by the petitioner, since there was no such occurrence had taken place. Further, the complaint itself is lodged belatedly, ie., on 02.12.2023. Therefore, the disputed questions of law cannot be gone into in this Writ Petition under Article 226 of the Constitution of India. Therefore, the representation submitted by the petitioner, seeking compensation that too from the respondents 1 and 2, cannot be considered and the writ petition is devoid of merit and the same is liable to be dismissed.

5. Accordingly, this Writ Petition stands dismissed. No costs. However, the petitioner is at liberty to approach the civil Court for appropriate relief.

09.01.2025

Internet : Yes/No
NCC : Yes / No
Index : Yes/No
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W.P.(MD)No.3385 of 2024

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W.P.(MD)No.3385 of 2024

G.K.ILANTHIRAIYAN, J.

LS

Order made in
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