

W.P(MD)No.5199 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 26.02.2025

CORAM

THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

Writ Petition(MD)No.5199 of 2025

M.Pandiaselvi

..Petitioner

Vs

1.The District Collector,
District Collector Office,
Madurai.

2.Adi Dravidar and Tribal Welfare Officer,
Adi Dravidar and Tribal Welfare Office,
Madurai.

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the first respondent to consider the representation dated 11.11.2024 and provide the compensation amount of Rs.3,75,000/- within the stipulated time frame as fixed by this Court.

For Petitioner : Mr.K.Muthumalai
For Respondent : Mr.S.Shaji Bino
Spl. Govt. Pleader



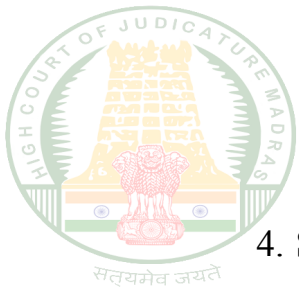
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ORDER

WEB COPY This is an extremely unfortunate case.

2. The petitioner's husband, Murugan, was murdered on 25.07.2008. The police found that he had been murdered on account of the fact that he belongs to the Scheduled Caste community. It filed a positive final report, and it was taken on file by the III Additional District Court (PCR Court), Madurai, as Spl.S.C.No.48 of 2012.

3. As per the scheme that has been evolved by the Government of Tamil Nadu, where a person belonging to a Scheduled Caste community suffers an act that attracts the offences under the SC/ST (Prevention of Atrocities) Act, 1989, the victims or survivors are paid compensation. In this case, the deceased Murugan left behind his mother, Karuyppayee Ammal, and the writ petitioner. Karuppayee Ammal made a request for the release of funds. As the representation was not considered, she came forward with a writ petition before this Court in W.P.(MD)No.11131 of 2013. By an order dated 12.07.2013, the respondents were directed to consider the representation. Despite the order, no compensation was paid to Karuppayee Ammal. Hence, she filed a contempt petition in Cont.P.(MD)No.442 of 2014, which was closed on 25.11.2016.

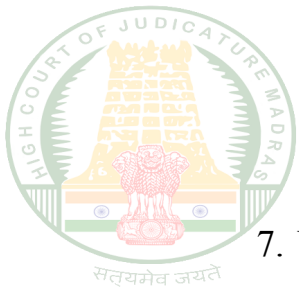


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4. Subsequently, the Adi Dravidar Welfare Department informed the said Karuppayee Ammal that it was decided to sanction a sum of Rs.3,75,000/-, in terms of the Rules, for the death of her son. A cheque was also sent in the name of Karuppayee Ammal for the said amount. In the meantime, the District Collector, Madurai District, rejected the request of Karuppayee Ammal on the ground that the primary legal heir of the deceased Murugan, namely, his wife Pandiaselvi being alive, she is entitled to the said amount. Challenging the said order, Karuppayee Ammal filed W.P.(MD)No.17470 of 2018. She passed away pending that litigation. Hence, the writ petition was dismissed, recording the abatement.

5. This writ petition has come up before me at the instance of Pandiaselvi, the wife of the deceased Murugan. She pleads that though more than a decade and a half has lapsed since the death of her husband, neither the compensation has been paid to the mother-in-law nor any compensation has been paid to her. She states that she is living in the neighbouring State of Kerala in Munnar and is entirely dependent on her parents for her survival.

6. Mr.S.Shaji Bino, learned Special Government Pleader appearing for the respondents states that the amount had already been disbursed to Karuppayee Ammal.



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7. While this aspect is not in dispute, the amount that had been sent on 27.11.2014 could not have been encashed on account of the fact that the District Collector had rejected the claim of Karuppayee Ammal subsequently on 07.12.2014. Compensation under the SC /ST Act is given in order to help a family that is suffering due to the passing away of a member of the family solely on account of the fact that she or he belongs to the SC/ST community. If a decade and a half is taken to pay this compensation, the purpose of evolving such a scheme is defeated.

8. In the light of the above discussion, since there is no dispute about the relationship between Pandiaselvi and the deceased Murugan, she will be entitled to the compensation payable as per the scheme.

9. Accordingly, this Writ Petition is allowed. There shall be a direction to the respondents to release a sum of Rs.3,75,000/- as decided by the second respondent Department in its proceedings dated 13.11.2014 forthwith. No costs.

10. Post the matter on 04.03.2025 for reporting compliance.

26.02.2025

NCC : Yes/No
Index : Yes/No
Internet: Yes
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V.LAKSHMINARAYANAN, J.

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