



WP(MD). 4383 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Date : 17/02/2026

CORAM

The Hon`ble Mr.Justice KRISHNAN RAMASAMY

WP(MD). No.4383 of 2026

Subramanian

... Petitioner

Vs

1. The District Collector,
Pudukkottai District..

2. The Superintendent of Police,
Pudukkottai District..

3. The Secretary,
District Legal Service Authority,
Pudukkottai..

4. The Inspector of Police,
Illupur Police Station,
Pudukkottai District..

... Respondents

PRAYER :-Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, thereby directing the respondents to provide compensation to the petitioner under the Victim Compensation Scheme by considering his representation dated 27.09.2025 at once.



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For Petitioner : Mr.P.Ganapathi Subramanian
For Respondents : Mrs.K.Malathi for R1 and R3
Additional Government Pleader
Mr.A.Albert James for R2 and R4
Government Advocate (Crl. side)

ORDER

This writ petition has been filed for a mandamus to direct the respondents to provide compensation to the petitioner under the Victim Compensation Scheme by considering his representation dated 27.09.2025 at once.

2. Heard the learned counsel for the petitioner and the learned Additional Government Pleader and the learned Government Advocate for the respondents. By consent of both sides, the writ petition itself is taken up for final disposal at the stage of admission itself.

3. The learned counsel for the petitioner would submit that the petitioner is a victim, who has suffered grievous injuries in an occurrence due to the attack made by the accused persons and a case in Crime No. 111 of 2024 has also been registered and the trial is on. While so, for the injuries suffered by the petitioner, seeking compensation for the same,



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the petitioner has preferred a representation to the respondents. Since neither compensation has been paid nor representation is considered, the petitioner is before this Court.

4. The learned Additional Government Pleader would submit that the trial is yet to complete in the said criminal case and though the petitioner has averred in his affidavit about Sections 357 and 357A of the Code of Criminal Procedure for victim compensation, the petitioner, without waiting for the verdict, has approached this Court by way of this writ petition. He would submit that the concerned Court alone could issue a direction or make recommendations in respect of victim compensation. He would further submit that when the Court is making recommendation for the purpose of payment of compensation, the compensation will be determined in the manner provided under Sections 357 and 357 of Cr.P.C. and the authorities could not consider the same by simply considering the representation of the petitioner. Hence, he would submit that the writ petition is not maintainable and prays for dismissal.



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5. I have considered the rival submissions and perused the materials available on record.

6. It is not in dispute that the petitioner is a victim in an alleged incident and suffered grievous injuries at the hands of the accused therein, which culminated in filing of charge sheet and trial is on. When the trial is yet to be completed, the petitioner without waiting for the verdict has filed the present writ petition seeking compensation under Section 357 and 357A of the Code of Criminal Procedure, which ultimately for the Court concerned to make recommendations and if any recommendation is made, either interim or final compensation, as the case may be, under Sections 357 and 357A of the Code, the petitioner is entitled to such compensation. When the petitioner himself averred in the affidavit with regard to the provisions under Sections 357 and 357A of the Code, the petitioner is directed to follow the procedure laid down under Sections 357 and 357A of the Code. Without doing so, filing the present writ petition by making representation to the authorities is nothing but a futile exercise. The authorities have got no power to award compensation and the Court concerned has power to make



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recommendation under Sections 357 and 357A of the Code Accordingly,
the writ petition fails and the same is dismissed. No costs.

17.02.2026

NCC : Yes/No

Index : Yes/No

RR

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KRISHNAN RAMASAMY, J

RR

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