



WP(MD). No.36720 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 02.01.2026

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**THE HONOURABLE MR. JUSTICE B.PUGALENDHI**

**WP(MD)No.36720 of 2025**

M.Devakani

... Petitioner

Vs

1. The Secretary,  
Government of Tamil Nadu,  
Dravidar and Tribal Welfare Department,  
Fort St. George,  
Chennai – 600 009.
2. The District Collector,  
Theni District.
3. The District Adi Dravidar and  
Tribal Welfare Officer,  
O/o. The District Collector,  
Theni District.
4. The Director,  
National Commission for Scheduled Castes  
and Scheduled Tribes,  
Government of India,  
2<sup>nd</sup> Floor, Block – 5, Shastri Bhawan,  
Chennai – 600 006.



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5. The Secretary,  
State Human Rights Commission,  
Tamil Nadu,  
Thiruvarangam,  
No.143, P.S.Kumarasamy Raja Salai,  
Greenways Road,  
Chennai – 600 028.

6. The Inspector of Police,  
Gudalur North Police Station,  
Theni District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent No.2 to provide adequate employment to the petitioner by considering her educational qualification as per Serial No.46 of Annexure-I r/w. Rule 12(4) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Rules, 2016, on the representation made by here dated 27.11.2024.

For Petitioner : Mr.K.Dinesh

For Respondents : Mr.C.Venkatesh Kumar,  
Special Government Pleader

### **ORDER**

The petitioner belongs to the Schedule Caste Community and her husband also belongs to the Schedule Caste Community. On 18.08.2023, around 12.30 p.m., the petitioner's husband was murdered, for which, a criminal case has also been registered in Crime No.227 of 2023 for the



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offence under Sections 294(b), 302 of IPC r/w. Section 3(2)(V) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989. According to the petitioner, as per Serial No.46 of Annexure-I r/w. Rule 12(4) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Rules, 2016, she is entitled for employment. Therefore, she submitted a representation to the 2<sup>nd</sup> respondent, requesting to provide employment by considering her educational qualification. However, no step has been taken by the 2<sup>nd</sup> respondent. Therefore, the petitioner has filed this writ petition, seeking a direction to the 2<sup>nd</sup> respondent to provide her adequate employment, by considering her educational qualification.

2. Mr.C.Venkatesh Kumar, learned Special Government Pleader, who takes notice for the respondents, submits that though a criminal case has been registered for the offences under Sections 294(b), 302 of IPC r/w. Section 3(2)(V) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, the trial is still pending. Only based on the outcome of the criminal case, they can take a decision as per the provisions of Section 12(4) of Scheduled Castes and Scheduled Tribes



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(Prevention of Atrocities) Act, 1989.

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3. This Court considered the rival submissions made.

4. The petitioner's husband was murdered in the year 2023, for which, a criminal case has been registered in Crime No. 227 of 2023, for the offences under Sections 294(b), 302 of IPC r/w. Section 3(2)(V) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989. After the investigation, a charge sheet was also filed and the same was taken on file in Spl.S.C.No.64 of 2023 on the file of the learned Special Judge for SC/ST (POA) Act, Theni. Therefore, according to the petitioner, she is entitled for the benefits, as per Serial No.46 of Annexure-I r/w. Rule 12(4) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Rules, 2016.

5. Serial 46 of Annexure-I r/w. Rule 12(4) of SC/ST (POA) Amendment Rules, 2016, is extracted as under:



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| Sl.No. | Name of the offence                                                                                             | Minimum amount of relief                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|--------|-----------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 46.    | Additional relief to victims of murder, death, massacre, rape, gang rape, permanent incapacitation and dacoity. | <p>In addition to relief amounts paid under above items, relief may be arranged within three months of date of atrocity as follows:</p> <p>(i) Basic Pension to the widow or other dependents of deceased persons belonging to a Scheduled Caste or a Scheduled Tribe amounting to five thousand rupees per month, as applicable to a Government servant of the concerned State Government or Union territory Administration, with admissible dearness allowance and employment to one member of the family of the deceased, and provision of agricultural land, an house, if necessary by outright purchase;</p> <p>(ii) Full cost of the education up to graduation level and maintenance of the children of the victims. Children may be admitted to Ashram schools or residential schools, fully funded by the Government;</p> <p>(iii) Provision of utensils, rice, wheat, dals, pulses, etc., for a period of three months.</p> |

6. It is submitted by the learned Special Government Pleader that the trial is still pending. Only during the course of trial, it can be ascertained whether the petitioner's husband was murdered due to



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personal enmity or due to communal reasons.

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7. Therefore, this Court, in the interest of justice, directs the trial Court, namely, learned Special Judge for SC/ST (POA) Act, Theni, to conclude the trial in Spl.S.C.No.64 of 2023 as expeditiously as possible and also to give a finding whether the petitioner's husband was murdered on account of communal reasons. Based on the outcome of the criminal case, the 2<sup>nd</sup> respondent shall take a decision within a period of three months from the date of order of the criminal court. Accordingly, this petition is disposed of. No costs.

**02.01.2026**

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Index : Yes / No.

Internet : Yes / No.

NCC : Yes / No.

To

1. The Secretary,  
Government of Tamil Nadu,  
Dravidar and Tribal Welfare Department,  
Fort St. George,  
Chennai – 600 009.



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2. The District Collector,  
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3. The District Adi Dravidar and  
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Copy to

The learned Special Judge for SC/ST (POA) Act,  
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**B.PUGALENDHI, J.**

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