



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.12.2015

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

Writ Petition(MD)No.21724 of 2015

Madathiammal

... Petitioner

Vs.

- 1.The Secretary to the Government of India,
Ministry of Social Justice,
Room No.740, A - Wing,
Dr.Rajendra Prasad Road,
New Delhi - 110 001.
 - 2.The Secretary to the Government of Tamil Nadu,
Municipal Administration & Water Supply Department,
Secretariat,
Chennai - 600 009.
 - 3.The Chairman & Managing Director,
Tamil Nadu Water Supply & Drainage Board,
31, Kamaraj Salai,
Chepauk, Chennai - 600 005.
 - 4.The Secretary to Government,
Adi-Dravidar & Tribal Welfare Department,
Secretariat, Chennai - 600 009.
 - 5.The District Collector,
District Collector Office,
Tirunelveli District - 627 002.
- ... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, to direct the respondents to pay a sum of Rs.10,00,000/- (Ten lakhs only) to the petitioner by way of compensation in the light of the direction issued by the Hon'ble Supreme Court of India in Safai Karamchari Andolen and others vs. Union of India and others reported in 2014 (3) CTC 177 within a stipulated time fixed by this Court.

For Petitioner

: Mr.R.Karunanidhi

<https://hcservices.ecourts.gov.in/hcservices/>

For R - 1

: Mr.G.R.Swaminathan
Assistant Solicitor General



For RR 2 to 5

: Mr.M.Murugan
Government AdvocateORDER

The petitioner seeks for a Mandamus directing the respondents to pay a sum of Rs.10,00,000/- (Ten lakhs only) to the petitioner by way of compensation in the light of the direction issued by the Hon'ble Supreme Court of India in a case in *Safai Karamchari Andolen and others vs. Union of India and others* reported in 2014 (3) CTC 177 for the death of the petitioner's husband while cleaning the septic tank.

2. Mr.G.R.Swaminathan, learned Assistant Solicitor General has taken notice for the first respondent and Mr.M.Murugan, learned Government Advocate takes notice for the respondents 2 to 5.

3. It is seen that a general direction is issued by the Apex Court in the above said decision for granting relief to those persons, who died while cleaning septic tanks. Based on the above said order passed by the Apex Court and by claiming that the petitioner's husband died while cleaning septic tank belonging to some third parties, the petitioner made an application on 20.09.2015 to the respondents seeking for compensation as stated supra. As the said representation is not yet disposed of, the petitioner has filed the present Writ Petition.

4. It is seen that under similar circumstances, this Court while disposing of a Writ Petition in W.P(MD)No.9989 of 2015 dated 19.06.2015 directed the authorities to pass appropriate orders on the petitioner's representation in the light of the order passed by the Apex Court. The copy of the said order is also filed in the typed set of papers.

5. Considering the above stated facts and circumstances, I direct the second respondent to consider the representation of the petitioner, dated 20.09.2015 and pass orders on the same, after conducting proper enquiry also by putting on notice the other persons interested, within a period of twelve weeks from the date of receipt of a copy of this order. It is made clear that while considering the representation of the petitioner, the second respondent shall take note of the decision made by the Apex Court in the case in *Safai Karamchari Andolen and others vs. Union of India and others* reported in 2014 (3) CTC 177.

6. Accordingly, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(C.O)



To

1.The Secretary to the Government of India,
Ministry of Social Justice,
Room No.740, A - Wing,
Dr.Rajendra Prasad Road,
New Delhi - 110 001.

2.The Secretary to the Government of Tamil Nadu,
Municipal Administration & Water Supply Department,
Secretariat,
Chennai - 600 009.

3.The Chairman & Managing Director,
Tamil Nadu Water Supply & Drainage Board,
31, Kamaraj Salai,
Chepauk, Chennai - 600 005.

4.The Secretary to Government,
Adi-Dravidar & Tribal Welfare Department,
Secretariat, Chennai - 600 009.

5.The District Collector,
District Collector Office,
Tirunelveli District - 627 002.

+One cc to Mr.R.Karunanidhi, Advocate, SR.No.69588

+One cc to The Special Government Pleader, SR.No.69686

ps

RL/8C/AAL/MPA/10/12/2015

W.P (MD) No.21724 of 2015

04.12.2015