

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 19.12.2018

CORAM
THE HONOURABLE MR. JUSTICE K.RAVICHANDRABAABU
W.P.Nos.26579 & 28435 of 2017

Sathya
Mary

...Petitioner in W.P.No.26579/2017
...Petitioner in W.P.No.28435/2017

Vs

1. The Secretary [WELFARE]
Government of Puducherry
Puducherry.

2. The District Collector,
Collectorate,
Karaikal District,
Karaikal.

...Respondents in both the W.Ps

Writ Petitions filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents herein to pay the compensation to the petitioner for the death of her husband during the process of cleaning the septic tank in terms of Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act 1993 and as per Supreme Court Judgment rendered in WP [Civil] No.583/2003 and connected matters decided on 27.03.2014 respectively.

For Petitioners : Mr.V.Kadhirvelu
(in both the W.Ps)

For Respondents : Mr.J.Kumaran
Additional Government Pleader
(Pondicherry)
(in both the W.Ps)

C O M M O N O R D E R

In both these writ petitions the respective petitioner seeks compensation due to the death of their respective husband during the process of cleaning the septic tank. For seeking such compensation, they relied upon the order passed by the Honourable Supreme Court made in W.P.Civil No.583/2003 dated 27.03.2014.

2. Learned counsel for the respondents submitted that so far no representation is received from the petitioners seeking for payment of compensation and on the other hand, only a lawyer's

notice was sent by the petitioners. Therefore, he submitted that if the petitioners are advised to send a representation, the same will be considered accordingly.

3. Learned counsel for the petitioners submitted that the petitioners will send the representation immediately.

4. Accordingly, the writ petitions are disposed of by directing the petitioners to make a representation to the respondent for payment of compensation along with the required documents. Such representation shall be made within a period of two weeks from the date of receipt of a copy of this order. If the representation is filed within the time stipulated with necessary documents, the respondents shall consider the same and pass appropriate orders also by taking note of the order passed by the Honourable Supreme Court made in W.P.(Civil) No.583/2003 dated 27.03.2014, within a period of six weeks thereafter. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

vsi/sni

To

1.The Secretary [WELFARE]
Government of Puducherry
Puducherry.

2.The District Collector,
Collectorate,
Karaikal District,
Karaikal.

+2ccs to Mr.V.Kadhirvelu, Advocate, S.R.No.88483 & 88484
+1cc to the Government Pleader, S.R.No.88658

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SSI (CO)

rrs 25/01/2019

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