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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.01.2022

CORAM

**THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN**

W.P(MD).Nos.19639,19640, 19641,  
19642, 19643, 19644, 21294, 21295,  
21296, 21297 and 21298 of 2021

**W.P(MD)No.19639 of 2021**

M.Sivabalasubramaniyan

...Petitioner in WP(MD).19639/2021

**Vs.**

1.The Union of India Represented by its Secretary,  
The Prime Minister National Relief Fund,  
Prime Minister's Office,  
South Block,  
New Delhi- 110011.

2.The Chief Secretary to Government,  
Government of Tamil Nadu,  
Secretariat,  
For St.George, Chennai.

3.The Joint Secretary to Government,  
Government of Tamil Nadu  
The Chief Minister Public Relief Fund,  
Fort St.George,  
Chennai-600009.

4.The District Collector,  
Office of the District Collector,  
Virudhunagar District.

5.The Inspector of Police,  
Elayirampannai Police Station,  
Virudhunagar District.

...Respondents in WP(MD).19639/2021

**Prayer in WP(MD).19639/2021** : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to pay adequate compensation for the death of petitioner's father Late.I.Murugaiya in Rajammal cracker unit accident at Sippiparai in Virudhunagar District within the time stipulated by this Court.



**WP(MD). 19640 of 2021:**

T.Krishnaveni  
W/o.G.Thangapandiyan ,  
No.2/28, East Street , Mukkuttumalai,  
Sippiparai Post , Kovilpatti Taluk,  
Thoothukudi District

... Petitioner in WP(MD). 19640 of 2021

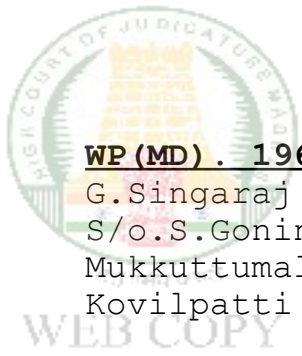
- Vs. -

1. The Union of India  
Represented by its Secretary,,  
the Prime Minister National Relief Fund,  
Prime Ministers Office , South Block,  
New Delhi - 110011.
2. The Chief Secretary to Government, Government of Tamil Nadu,  
Secretariat, Fort St.George, Chennai .
3. The Joint Secretary to Government,  
Government of Tamil Nadu ,  
the Chief Minister Public Relief Fund ,  
Fort St.George , Chennai - 600009.
4. The District Collector  
Office of the District Collector ,  
Virudhunagar District.
5. The Inspector of Police  
Elayirampennai Police Station ,  
Virudhunagar District

... Respondent in WP(MD). 19640 of 2021

Prayer in WP(MD). 19640 of 2021 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus or any other writ or direction or order in the nature of Writ , directing the respondents to pay adequate compensation to the petitioner for the death of petitioner mother Late .Petchiyammal in Rajammal Cracker unit accident at Sippiparai in Virudhunagar District within the time stipulated by this Honorable Court and pass such further or other orders as this Hon'ble Court deems fit and proper in the circumstances of the above case and thus render justice.



**WP(MD). 19641 of 2021**

G.Singaraj  
S/o.S.Goninda Konar , North Street,  
Mukkuttumalai , Sippiparai Post,  
Kovilpatti Taluk, Thoothukudi District.

... Petitioner in WP(MD). 19641 of 2021

- Vs. -

1. The Union of India  
Represented by its Secretary,,  
the Prime Minister National Relief Fund ,  
Prime Ministers Office , South Block, New Delhi - 110011.

2. The Chief Secretary to Government,  
Government of Tamil Nadu , Secretariat ,  
Fort St.George , Chennai .

3. The Joint Secretary to Government,  
Government of Tamil Nadu ,  
the Chief Minister Public Relief Fund ,  
Fort St.George , Chennai - 600009.

4. The District Collector  
Office of the District Collector ,  
Virudhunagar District.

5. The Inspector of Police  
Elayirampennai Police Station ,  
Virudhunagar District

... Respondent in WP(MD). 19641 of 2021

Prayer in WP(MD). 19641 of 2021 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus or any other writ or direction or order in the nature of Writ , directing the respondents to pay adequate compensation to the petitioner for the death of petitioner Wife Late .Murugalakshmi in Rajammal Cracker unit accident at Sippiparai in Virudhunagar District within the time stipulated by this Honorable Court and pass such further or other orders as this Honble Court deems fit and proper in the circumstances of the above case and thus render justice.



**WP(MD). 19642 of 2021**

K.Mohanaselvi

W/o.M.Karuppasamy , North Street ,  
Mukkuttumalai , Sippiparai Post , Kovilpatti Taluk,  
Thoothukudi District

... Petitioner in WP(MD). 19642 of 2021

- Vs. -

1. The Union of India

Represented by its Secretary,,  
the Prime Minister National Relief Fund ,  
Prime Ministers Office , South Block, New Delhi - 110011.

2. The Chief Secretary to Government,  
Government of Tamil Nadu , Secretariat ,  
Fort St.George , Chennai .

3. The Joint Secretary to Government,  
Government of Tamil Nadu ,  
the Chief Minister Public Relief Fund ,  
Fort St.George , Chennai - 600009.

4. The District Collector  
Office of the District Collector ,  
Virudhunagar District.

5. The Inspector of Police  
Elayirampennai Police Station ,  
Virudhunagar District

... Respondent in WP(MD). 19642 of 2021

Prayer in WP(MD). 19642 of 2021 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus or any other writ or direction or order in the nature of Writ , directing the respondents to pay adequate compensation to the petitioner for the death of petitioner Mother Late .Ponnuthai in Rajammal Cracker unit accident at Sippiparai in Virudhunagar District within the time stipulated by this Honorable Court and pass such further or other orders as this Honble Court deems fit and proper in the circumstances of the above case and thus render justice.



**WP(MD). 19643 of 2021**

G.Arumugathai  
S/o.Late.S.Gurusamy ,  
No.2/63, North Street , Mukkuttumalai ,  
Sippiparai Post , Kovilpatti Taluk,  
Thoothukudi District

... Petitioner in WP(MD). 19643 of 2021

- Vs. -

1. The Union of India  
Represented by its Secretary,,  
the Prime Minister National Relief Fund ,  
Prime Ministers Office , South Block,  
New Delhi - 110011.

2. The Chief Secretary to Government,  
Government of Tamil Nadu , Secretariat ,  
Fort St.George , Chennai .

3. The Joint Secretary to Government,  
Government of Tamil Nadu ,  
the Chief Minister Public Relief Fund ,  
Fort St.George , Chennai - 600009.

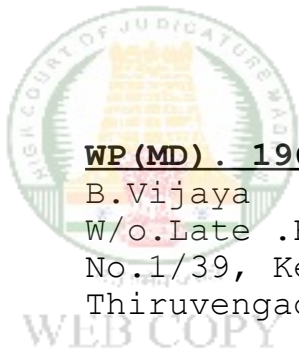
4. The District Collector  
Office of the District Collector ,  
Virudhunagar District.

5. The Inspector of Police  
Elayirampennai Police Station , Virudhunagar District

... Respondent in WP(MD). 19643 of 2021

Prayer in WP(MD). 19643 of 2021 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus or any other writ or direction or order in the nature of Writ , directing the respondents to pay adequate compensation to the petitioner for the death of petitioner husband Late .S.Gurusamy son of sakkan in Rajammal Cracker unit accident at Sippiparai in Virudhunagar District within the time stipulated by this Honorable Court and pass such further or other orders as this Honble Court deems fit and proper in the circumstances of the above case and thus render justice.



**WP(MD). 19644 of 2021**

B.Vijaya  
W/o.Late .Balasubramanian ,  
No.1/39, Kelatheru , Chathirappati Village ,  
Thiruvengadam Taluk, Thenkasi District

... Petitioner in WP(MD). 19644 of 2021

- Vs. -

1. The Union of India  
Represented by its Secretary,,  
the Prime Minister National Relief Fund ,  
Prime Ministers Office , South Block,  
New Delhi - 110011.

2. The Chief Secretary to Government,  
Government of Tamil Nadu , Secretariat ,  
Fort St.George , Chennai .

3. The Joint Secretary to Government,  
Government of Tamil Nadu ,  
the Chief Minister Public Relief Fund ,  
Fort St.George , Chennai - 600009.

4. The District Collector  
Office of the District Collector ,  
Virudhunagar District.

5. The Inspector of Police  
Elayirampennai Police Station , Virudhunagar District

... Respondent in WP(MD). 19644 of 2021

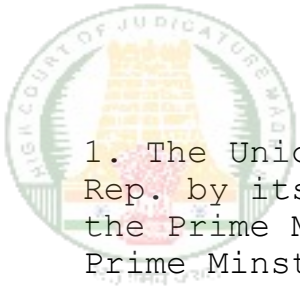
Prayer in WP(MD). 19644 of 2021 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus or any other writ or direction or order in the nature of Writ , directing the respondents to pay adequate compensation to the petitioner for the death of petitioner husband Late .Balasubramanian in Rajammal Cracker unit accident at Sippiparai in Virudhunagar District within the time stipulated by this Honorable Court and pass such further or other orders as this Honble Court deems fit and proper in the circumstances of the above case and thus render justice.

**WP(MD). 21294 of 2021**

S.Selvakumar ,  
Paliyankulam, Kovilpatti Taluk,  
Thoothukudi District.

... Petitioner in WP(MD). 21294 of 2021



- Vs. -

1. The Union of India  
Rep. by its Secretary,  
the Prime Minister National Relief Fund ,  
Prime Ministers Office , South Block, New Delhi - 110011.

2. The Chief Secretary to Government,  
Government of Tamil Nadu , Secretariat ,  
Fort St.George , Chennai .

3. The Joint Secretary to Government,  
Government of Tamil Nadu ,  
the Chief Minister Public Relief Fund ,  
Secretariat , Fort .St.George , Chennai .

4. The District Collector  
Office of the District Collector ,  
Virudhunagar District.

5. The Inspector of Police  
Elayiampannai Police Station ,  
Virudhunagar District.

... Respondent in WP(MD). 21294 of 2021

Prayer in WP(MD). 21294 of 2021 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a writ of Mandamus or an other writ or direction or order in the nature of writ , directing the respondents to pay adequate compensation to the petitioner for the death of the petitioner's wife Late.Veluthai in Rajammal Cracker unit accident at Sippiparai in Virudhunagar District within the time stipulated by this Honble Court and pass such further or other orders as this Honble Court may deem fit and proper in the circumstances of the case and thus render justice.

**WP(MD). 21295 of 2021**

Ganesan.S  
S/o.Subramanian, No.1/163, South Colony,  
Maipparai, Thiruvengadam Taluk, Tenkasi District.

... Petitioner in WP(MD). 21295 of 2021

- Vs. -

1. The Union of India  
Rep. by its Secretary,  
the Prime Minister National Relief Fund ,  
Prime Ministers Office , South Block,  
New Delhi - 110011.



2. The Chief Secretary to Government,  
Government of Tamil Nadu , Secretariat ,  
Fort St.George , Chennai .

3. The Joint Secretary to Government,  
Government of Tamil Nadu ,  
the Chief Minister Public Relief Fund ,  
Secretariat , Fort .St.George , Chennai .

4. The District Collector  
Office of the District Collector ,  
Virudhunagar District.

5. The Inspector of Police  
Elayiampannai Police Station ,  
Virudhunagar District.

... Respondent in WP(MD). 21295 of 2021

Prayer in WP(MD). 21295 of 2021 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a writ of Mandamus or an other writ or direction or order in the nature of writ , directing the respondents to pay adequate compensation to the petitioner for the death of the petitioner's wife Late.Thamarai Selvi in Rajammal Cracker unit accident at Sippiparai in Virudhunagar District within the time stipulated by this Honble Court and pass such further or other orders as this Honble Court may deem fit and proper in the circumstances of the case and thus render justice.

**WP(MD). 21296 of 2021**

Balasubramanian.K  
S/o.Karuppasamy, No.1/142 East Street,  
Maipparai, Thiruvengadam Tk., Tenkasi District

... Petitioner in WP(MD). 21296 of 2021

- Vs. -

1. The Union of India  
Rep. by its Secretary,  
the Prime Minister National Relief Fund ,  
Prime Ministers Office , South Block,  
New Delhi - 11011.

2. The Chief Secretary to Government,  
Government of Tamil Nadu , Secretariat ,  
Fort St.George , Chennai .



3. The Joint Secretary to Government,  
Government of Tamil Nadu ,  
the Chief Minister Public Relief Fund ,  
Secretariat , Fort .St.George , Chennai .

4. The District Collector  
Office of the District Collector ,  
Virudhunagar District.

5. The Inspector of Police  
Elayiampannai Police Station ,  
Virudhunagar District.

... Respondent in WP(MD). 21296 of 2021

Prayer in WP(MD). 21296 of 2021 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a writ of Mandamus or an other writ or direction or order in the nature of writ , directing the respondents to pay adequate compensation to the petitioner for the death of the petitioners Daughter Late.Muneeshwari in Rajammal Cracker unit accident at Sippiparai in Virudhunagar District within the time stipulated by this Honble Court and pass such further or other orders as this Honble Court may deem fit and proper in the circumstances of the case and thus render justice.

**WP(MD). 21297 of 2021**

C Jeyakumar  
S/o. Chellaiya, No.10, South Colony,  
Maipparai, Thiruvengadam Taluk, Tenkasi District.

... Petitioner in WP(MD). 21297 of 2021

- Vs. -

1. The Union of India  
Rep. by its Secretary,  
the Prime Minister National Relief Fund,  
Prime Minister S Office, South Block, New Delhi 110 011

2. The Chief Secretary to Government,,  
Government of Tamil Nadu, Secretariat,  
Fort.St.George, Chennai.

3. The Joint Secretary to Government,,  
Government of Tamil Nadu,  
the Chief Minister Public Relief Fund,  
Secretariat, Fort.St.George, Chennai.



4. The District Collector,  
Office of the District Collector,  
Virudhunagar District.

5. The Inspector of Police,  
Elayiampannai Police Station,  
Virudhunagar District.

... Respondent in WP(MD). 21297 of 2021

Prayer in WP(MD). 21297 of 2021 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus directing the respondents to pay adequate compensation to the petitioner for the death of the petitioner's wife Late.Jeyabharathi in Rajammal Cracker unit accident at Sippiparai in Virudhunagar District within the time stipulated by this Honble Court and pass such further or other orders as this Honble Court may deem fit and proper in the circumstances of the case and thus render justice.

**WP(MD). 21298 of 2021**

M.Muppidathi S/o. Muniyandi,  
No.1/61, South Colony,  
Maipparai,  
Thiruvengadam Taluk,  
Tenkasi District.

... Petitioner in WP(MD). 21298 of 2021

- Vs. -

1. The Union of India  
Rep. by its Secretary,  
the Prime Minster National Relief Fund ,  
Prime Minsters Office , South Block, New Delhi - 110011.

2. The Chief Secretary to Government,  
Government of Tamil Nadu , Secretariat ,  
Fort St.George , Chennai .

3. The Joint Secretary to Government,  
Government of Tamil Nadu ,  
the Chief Minister Public Relief Fund ,  
Secretariat , Fort .St.George , Chennai .

4. The District Collector  
Office of the District Collector ,  
Virudhunagar District.



5. The Inspector of Police  
Elayiampannai Police Station ,  
Virudhunagar District.

... Respondent in WP(MD). 21298 of 2021

Prayer in WP(MD). 21298 of 2021 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a writ of Mandamus or an other writ or direction or order in the nature of writ , directing the respondents to pay adequate compensation to the petitioner for the death of the petitioner's wife Late.Thangamalai Kaliammal in Rajammal Cracker unit accident at Sippiparai in Virudhunagar District within the time stipulated by this Honble Court and pass such further or other orders as this Honble Court may deem fit and proper in the circumstances of the case and thus render justice.

|                         |   |                            |
|-------------------------|---|----------------------------|
| For Petitioners         | : | Mr.S.Malaikani             |
| (In all W.Ps)           |   | For Mr.S.Barathiraja       |
| For R1                  | : | Mr.V.B.Sundreshwar         |
| (In all W.Ps)           |   | Central Government Counsel |
| For R2 to R4            | : | Mr.D.Ghandiraj             |
| (In W.P(MD)Nos.         |   | Special Government Pleader |
| 19639 to 19644          |   |                            |
| of 2021)                |   |                            |
| For R2 to R4            | : | Mr.J.John Rajadurai        |
| (In W.P(MD)Nos.         |   | Government Advocate        |
| 21294 to 21298 of 2021) |   |                            |

### C O M M O N   O R D E R

The Writ Petitions have been filed in the nature of Mandamus, seeking a direction against the respondents particularly, the second and third respondents to pay adequate compensation for the death of their family members in an accident in Rajammal Cracker Unit, Sippiparai in Virudhunagar District.

2.The affidavit filed in support of the W.P(MD)No.19639 of 2021, is taken up as example of the averments made. The petitioner in that particular case had stated that the father of the petitioner Murugaiya was working in Rajammal Fire Works Unit in Sippiparai, Virudhunagar District. On 20.03.2020, there was an accident in the cracker unit and the father of the petitioner I.Murugaiya, unfortunately died. It is stated that FIR in Crime No.46 of 2020, had been registered under Section 286, 338 and 304(i) of Indian Penal Code, read with Section 9(B)(1)(a) of Indian Explosive Act, 1884, against the persons who run the unit.



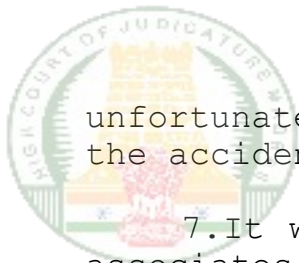
3.The Writ Petitions have been filed seeking adequate compensation. This Court must place its deep appreciation for the efforts taken by Mr.D.Ghandiraj, learned Special Government Pleader, and such efforts had been actually recognised in the order, dated 07.01.2022, wherein, it has been noted that the State Government had passed G.O.MS.No.1537 உள் (காவல்-12) துறை, dated 29.12.2021, whereby the State Government had sanctioned a sum of Rs.3,00,000/- as compensation for the family members of 14 members. The list is as follows:

- 1.Kaliyammal
- 2.Murugaiya
- 3.Balasubramanian
- 4.Jeyabharathi
- 5.Petchiyammal
- 6.Madasamy
- 7.Ponnuthai
- 8.Veluthai
- 9.Gurusamy
- 10.Murugalakshmi
- 11.Thangamalai Kaliammal
- 12.Thamaraiselvi
- 13.Ponnuthai @ Rani
- 14.Muneeshwari

4.A report is also been filed before this Court by the learned Special Government Pleader, wherein, it had been stated that the compensation had actually been paid to 12 of aforementioned 14 persons and 2 namely, Ponnuthai Rani and Muneeshwari could not be located. But, however an assurance has been held out that if they are located, compensation would be paid.

5.This Court had sought the assistance of the District Legal Services Authority to ensure that amount is actually paid. It had been stated in the report that from the Chief Minister's Relief Fund, the aforementioned sum of Rs.3,00,000/- each to the 14 individuals had been sanctioned by the Hon'ble Chief Minister. The total amount thus sanctioned was Rs.42,00,000/-. The individual acknowledgements for receipt of the money have been enclosed in the report, which is also been counter signed by Thirunelveli, Thoothukudi, Thenkasi, Rajapalayam and Virudhunagar Tahsildars.

6.This Court must record its appreciation not only on the learned Special Government Pleader but also to the State Government for having released the aforementioned sum of Rs.42,00,000/- from the Chief Minister's Fund for the benefit of the citizens. This only exhibits the compassion shown by the Government for loss of life owing to accident occurred, which are beyond the control of the deceased persons. To alleviate the immediate grievance of the family members, the State Government has stepped in to sanction the compensation. This would go a long way in wiping out the tears of the



unfortunate family members, who had been left high and dry owing to the accident.

7.It would be appropriate that the Rajammal Unit or any of its associates or any of the business associates of the said unit also provides alternate employment to the surviving members of the deceased persons or help them in any other manner.

8.If any one of the individual members decide to seek further compensation, they are at liberty to approach a Civil Court with necessary pleadings and seek further relief. But they must also bear in mind that the State Government has stepped in to wipe away their tears.

9.With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

lr

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

- 1.The Secretary,  
The Union of India ,  
The Prime Minister National Relief Fund,  
Prime Minister's Office,  
South Block, New Delhi- 110011.
- 2.The Chief Secretary to Government,  
Government of Tamil Nadu,  
Secretariat,  
For St.George, Chennai.
- 3.The Joint Secretary to Government,  
Government of Tamil Nadu  
The Chief Minister Public Relief Fund,  
Fort St.George, Chennai-600009.



4.The District Collector,  
Office of the District Collector,  
Virudhunagar District.

5.The Inspector of Police,  
Elayirampennai Police Station,  
Virudhunagar District.

+1 CC to M/s.SPL.GP ( SR-2593[F],2822 dated 27/01/2022 )

+2 CC to M/s.S.MALAIKANI, Advocate ( SR-2662[F],2661 dated  
27/01/2022 )

+2 CC to M/s.V.B.SUNDHARESHWAR, Advocate ( SR-2997[F] dated  
28/01/2022 )

W.P(MD) .Nos.19639,19640, 19641,  
19642, 19643, 19644, 21294, 21295,  
21296, 21297 and 21298 of 2021  
25.01.2022

SK(CO)

TR(24.02.2022) 14P 11C