



W.P.(MD).No.8225 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.09.2023

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD).No.8225 of 2021

N.Ponnupillai

... Petitioner

Vs.

1.The State of Tamil Nadu,
Represented by its Principal
Secretary to Government,
Municipal Administration & Water
Supply Department,
Secretariat, Fort. St. George,
Chennai - 600 009.

2.The Principal Secretary / Commissioner
of Revenue Administration,
Disaster Management and Mitigation,
Secretariat, Fort. St. George,
Chennai - 600 009.

3.The District Collector,
Madurai District,
Madurai - 625 020.

4.The Commissioner,
Municipality Office,
Melur, Madurai District.

... Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents 1 to 4 to pay a just and reasonable compensation a sum of Rs.25,00,000/- (Rupees Twenty Five Lakhs only) to the petitioner for the death of her husband namely Nagu son of Sevugan, who died due to COVID-19 while serving as Front Line Worker during the Corona Pandemic within a stipulated time that may be fixed by this Court.

For Petitioner : Mr.R.Karunanidhi

For R-1 to R-3 : Mr.A.K.Manikkam,
Special Government Pleader

For R-4 : No Appearance

ORDER

This Writ Petition is filed for Writ of Mandamus, to direct the respondents 1 to 4 to pay just and reasonable compensation a sum of Rs.25,00,000/- (Rupees Twenty Five Lakhs only) to the petitioner for the death of her husband namely Nagu son of Sevugan, who died due to COVID-19 while serving as Front Line Worker during the Corona Pandemic.

2. Heard the learned Counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondents 1 to 3 and perused the materials available on record.



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3. The petitioner's husband was serving as a Scavenger in the fourth respondent Municipality. During Covid -19 Pandemic, he was assigned scavenging work and he was serving as “Front Line Worker”, but, unfortunately died due to Covid on 23.10.2020.

4. The fourth respondent has already paid Rs.50,000/- (Rupees Fifty Thousand only) to the petitioner as compensation of her husband's death. This Court is of the considered opinion, the said amount is not sufficient for the “Front Line Worker” who served during Covid. It is seen from the records, the fourth respondent has submitted a proposal to the third respondent and the third respondent in turn return the same to the fourth respondent to disburse the amount. Both the third and fourth respondents are passing the responsibility and the same cannot be accepted.

5. Therefore, this Court is directing the Principal Secretary, the second respondent herein to consider the petitioner's case and disburse the just and adequate compensation. If there is any scheme for this issue, the same shall be considered in the light of such scheme. The second respondent shall not to decline compensation, since the departed soul who had served as “Front Line Worker” during Covid, due respects ought to be shown to the departed soul.



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6. With these observations and directions, this Writ Petition is allowed.

There shall be no order as to costs.

22.09.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No

Sml

To

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Secretary to Government,
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Supply Department,
Secretariat, Fort. St. George,
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S.SRIMATHY, J.

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