



W.P(MD)No.5790 of 2018

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.01.2024

CORAM:

**THE HONOURABLE MR.JUSTICE D. KRISHNAKUMAR
and
THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR**

W.P(MD)No.5790 of 2018

Thirumurugan

... Petitioner

VS.

- 1.State of Tamil Nadu,
Represented by,
The Principal Secretary,
School Education Department,
State of Tamil Nadu,
Secretariat,
Chennai – 9.
- 2.The Director of the Primary Education,
Directorate of the Primary Education,
Thenampet,
Chennai.
- 3.The District Collector,
Office of the District Collector,
Ramanathapuram.
- 4.The Block Development Officer,
Kadaladi Union,
Ramanathapuram District.



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5.The Block Development Officer,
Keelakarai,
Ramanathapuram District.

6.The Block Development Officer,
Ramanathapuram,
Ramanathapuram District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the respondents to repair the dilapidated old building and construct new school building with adequate drinking water, toilets, mid-day meal kitchen room, compound wall in the Panchayat Union Primary School, T.Krishnapuram, Muthukulathur, Ramanathapuram District and Popjhon Pal Second Middle School, R.S.Madai, Ramanathapuram District and Balar School in Ervadi Taluk Ramanathapuram District within the time stipulated by this Court and consequently to direct the respondents to pay fair and reasonable amount of compensation to the students who sustained injuries in building ceiling collapse in the Panchayat Union Primary School, T.Krishnapuram, Muthukulathur, Ramanathapuram District namely 1.N.Sahaana and 2.K.Vanisri of Class II and 3.K.Vishal of Class IV within the time stipulated by this Court.

For Petitioner : Mr.R.Alagumani

For Respondents : Mr.S.P.Maharajan
Special Government Pleader



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ORDER

(Order of the Court was made by D. KRISHNAKUMAR, J.)

The petitioner has filed the present Writ Petition for issuance of a Writ of Mandamus, to direct the respondents to repair the dilapidated old building and construct new school building with adequate drinking water, toilets, mid-day meal kitchen room, compound wall in the Panchayat Union Primary School, T.Krishnapuram, Muthukulathur, Ramanathapuram District, Popjhon Pal Second Middle School, R.S.Madai, Ramanathapuram District and Balar School in Ervadi Taluk, Ramanathapuram District and consequently to direct the respondents to pay fair and reasonable compensation to the students who sustained injuries in building ceiling collapse in the Panchayat Union Primary School, T.Krishnapuram, Muthukulathur, Ramanathapuram District namely N.Sahaana, K.Vanisri of Class II and K.Vishal of Class IV within the time stipulated by this Court.

2.When the matter was taken up for hearing today, learned counsel appearing for the petitioner would submit that with regard to the first limb of the prayer for constructing a new school building, he is not pressing the same, since the authority concerned has constructed a new building.



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3.Insofar as the second limb of the prayer seeking for compensation, the second respondent has filed a counter-affidavit wherein it is stated that the students, who got injured, have been treated as out patients and the injuries sustained by them are simple injuries and there was no complaint on the part of the parents of the students.

4.Considering the fact that the petitioner has not placed any medical report or any other report seeking for compensation to the students and in view of the stand taken by the respondents in the counter-affidavit, we are not inclined to issue any direction to the authority concerned for grant of compensation.

5.With the above observation, the Writ Petition is disposed of.

No costs.

[D.K.K.,J.] [R.V.,J.]
31.01.2024

NCC : Yes / No
Index : Yes / No
ps



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and
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ps

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