



W.P(MD)No.4573 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.07.2025

CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.4573 of 2023

K.Muthumari

... Petitioner

Vs.

- 1.Union of India Represented by its Secretary,
Ministry of Social Justice and Empowerment,
Shastri Bhavan, New Delhi.
- 2.The State Represented by its Secretary,
Municipal Administration and Water Supply Department,
Secretariat, Chennai.
- 3.The Commissioner,
Office of the Commissioner,
Municipal Administration and Water Supply Department,
Chepauk, Chennai.
- 4.The District Collector,
Office of the District Collector,
Dindigul District.
- 5.The Commissioner,
Office of the Commissioner,
Dindigul Corporation,
Dindigul.



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6.S.Sivasubramanian,

Office of the Commissioner,

Dindigul Corporation,

Dindigul.

7.Indira,

The City Health Officer,

Dindigul Corporation,

Dindigul.

8.Rengaraj,

The Sanitary Inspector,

15th Division Dindigul Corporation,

Dindigul.

...Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the respondent Nos.1 to 4 to provide compensation sum of Rs.20,00,000/- to the petitioner and recover the same from the respondents 6 to 8 for the death of petitioner's husband by toxic gas on 10.02.2022 and consequently, to direct the respondents 2 to 4 to take appropriate action against the respondents 6 to 8 by considering the petitioner's representation dated 22.02.2023 within the time stipulated by this Court.

For Petitioner	: Mr.T.Thirumurugan
For R1	: Mr.B.Rajesh Saravanan
For R2 to R4	: Mr.R.Ragavendran
	Government Advocate
For R5	: Mr.J.Lawrance
For R6	: No appearance
For R7 & R8	: Mr.M.Thirunavukkarasu



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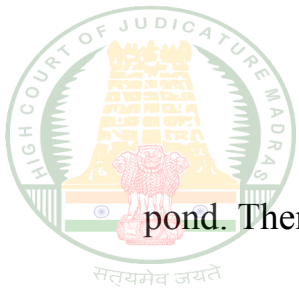
ORDER

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The present Writ Petition has been filed for the issuance of a Writ of Mandamus, to direct the respondent Nos.1 to 4 to provide compensation sum of Rs.20,00,000/- to the petitioner and recover the same from the respondents 6 to 8 for the death of petitioner's husband by toxic gas on 10.02.2022 and consequently, to direct the respondents 2 to 4 to take appropriate action against the respondents 6 to 8 by considering the petitioner's representation dated 22.02.2023 within the time stipulated by this Court.

2.The learned Counsel appearing for the 5th respondent submitted that the 5th respondent is disputing the relationship between the petitioner and the deceased person, since the deceased person is already married to some other lady and the present writ petitioner is not the wife of the deceased.

3.The learned Counsel appearing for the petitioner submitted that the Government has issued G.O.Ms.No.5, Municipal Administration and Water Supply Department, dated 23.01.2024, for granting compensation, if there is any manual scavenging. However, the same is vehemently opposed by the learned Counsel appearing for the 5th respondent and submitted that the deceased was not authorized to do manual scavenging. The learned Counsel appearing for the 5th respondent further submitted that the deceased person accidentally fell into the



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pond. Therefore, the said G.O., is not applicable.

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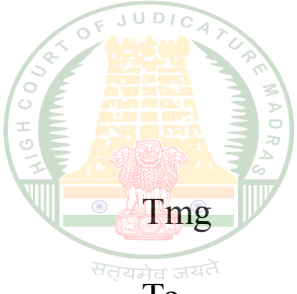
4.This Court is of the considered opinion that the fact remains that the deceased died and the reason for the death ought to be ascertained after conducting an enquiry. The 4th respondent District Collector is the appropriate person to conduct the enquiry.

5.Therefore, 4th respondent District Collector is directed to issue notice to the petitioner as well as to the 5th respondent and conduct an enquiry, and thereafter, pass appropriate orders in accordance to law. The District Collector shall issue notice to the mother of the deceased person also. If the District Collector is coming to the conclusion that the mother is entitled to compensation, the compensation may be disbursed to the mother. The said exercise shall be completed within a period of 12 weeks from the date of receipt of a copy of this order.

6.With the above observations, this Writ Petition is disposed of.
There shall be no order as to costs.

28.07.2025

Index : Yes / No
Internet : Yes



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To

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- 1.The Secretary,
Municipal Administration and Water Supply Department,
Secretriatic, Chennai.
- 2.The Commissioner,
Office of the Commissioner,
Municipal Administration and Water Supply Department,
Chepauk, Chennai.
- 3.The District Collector,
Office of the District Collector,
Dindigul District.



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S.SRIMATHY, J.

Tmg

**ORDER MADE IN
W.P(MD)No.4573 of 2023**

DATED : 28.07.2025