



W.P(MD)No.8099 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.11.2025

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.8099 of 2022

N.Ramachandran

... Petitioner

Vs.

1.The State of Tamil Nadu,
The Secretary to Government,
Home Department,
Fort St.George,
Chennai.

2.The District Collector,
Madurai District,
Madurai.

3.The Revenue Divisional Officer,
Melur Division,
Melur,
Madurai District.

4.The Tahsildar,
Melur Taluk Office,
Madurai District,
Madurai.

... Respondents

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 to pay necessary compensation towards the death of the petitioner's son namely Mathi in stagnant water impounded in the quarry which had been functioned



W.P(MD)No.8099 of 2022

illegally in Survey No.179/2 of A.Kovilpatti, Kurichipatti Panchayat on considering the petitioners representation dated 12.04.2022.

For Petitioner : Mr.S.Vishnuvardhan

For Respondents : Mr.B.Ramanathan
Additional Government Pleader

ORDER

Heard both sides.

2. The petitioner's minor child died on account of drowning on 08.11.2015. The quarry has been conducting in Survey No.172/2 and as a result, pits were formed. Subsequently, the quarry became dysfunctional. But it was not properly closed. On account of rain, water got collected in the bund. On the fateful day, the petitioner's child and two others went there to take bath. The petitioner's son died. In this regard, Crime No.437 of 2015 was registered on the file of the B2 Keelavalavu Police Station. The petitioner seeks compensation for an accident that happened in 2015. The writ petition came to be filed only in April 2022.

3. The writ petition suffers from laches. Besides, the person who had conducted the quarry has not been impleaded in the writ petition. I am not able to discern any principle of tort whereby liability can be fixed on the



W.P(MD)No.8099 of 2022

Government. It is open to the Government to announce ex-gratia payment in such cases, but that can only be a policy decision of the Government and no positive direction can be issued by the writ Court. I am not in a position to grant relief.

4. The writ petition is dismissed. No costs.

04.11.2025

Index : Yes / No
Internet : Yes/ No
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To

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Home Department,
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3/4



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W.P(MD)No.8099 of 2022

G.R.SWAMINATHAN, J.

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W.P(MD)No.8099 of 2022

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