



1

W.P.(MD)NO.16169 OF 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 12.11.2025

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.16169 of 2024 AND
W.M.P.(MD)No.14063 of 2024

R.Jayanthi

... Petitioner

Vs.

1. The Government of Tamil Nadu,
Rep. by its Secretary,
Department of Education,
St. George Fort, Chennai – 600 009.
2. The Director of School Education,
Directorate of School Education,
College Road, Chennai.
3. The Director Collector,
Thanjavur District,
Thanjavur.
4. The Chief Education Officer,
O/o.the Chief Education Officer,
Thanjavur District.
5. The District Education Officer(Higher Secondary),
District Education Office,
Thanjavur District.
6. The Headmaster,
Government Girls Higher Secondary School,
Peravurani,
Thanjavur District.



7. Aravind Eye Hospital,
No.1, Anna Nagar,
Madurai – 625 020,
through its Medical Officer.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 6 to pay compensation of Rs.10,00,000/- towards the loss caused to the petitioner's daughter viz., Isuvetha, who is studying her 11th standard in the 6th respondent school, medical and other expenses by considering her representation dated 14.05.2024.

For Petitioner : Mr.A.Mohamedhaneef

For R-1 to R-6 : Mr.P.T.Thiraviyam,
Government Advocate.

For R-7 : Mr.ARM.Ramesh

* * *

ORDER

Heard both sides.

2. The writ petitioner is the mother of Isuvetha. She studied in the sixth respondent school in 11th standard. On 09.02.2024, the petitioner's child along with her fellow students were in Chemistry lab. On account of some negligence on the part of the school



management, a bottle containing Sodium Hydroxide fell on the floor.

Drops of the Sodium Hydroxide splashed on the right eye of the petitioner's child. Seeking compensation, this writ petition has been filed.

3. The sixth respondent has filed counter affidavit. The contention of the learned Government Advocate is that the quantum of compensation payable to the petitioner has to be determined only by adducing evidence and that therefore, the petitioner has to necessarily file a civil suit and cannot maintain the writ petition. It is also added in the alternative, a sum of Rs.50,000/- was already paid as ex-gratia.

4. The petitioner is eking out her livelihood as a coolie worker. It is stated that the petitioner had visited Madurai on atleast 13 occasions for taking treatment for the child. Obviously on those days, the petitioner would not have been able to attend to her avocation. The petitioner also would have incurred considerable expenditure towards travel and eating outside. Even by a conservative estimate, the petitioner would have spent to the tune of Rs.50,000/-. The petitioner has taken treatment in Aravind Eye Hospital. The learned Standing counsel for the hospital states that



the vision of the child has been fully restored. It is stated that a sum of Rs.25,000/- was collected from the writ petitioner towards cost of treatment and medicines. The child would have been undergone considerable physical pain and agony. Since some kind of damage was inflicted on the eye, it is likely to be traumatised her. Therefore, a further sum of Rs.50,000/- has to be awarded towards compensation under this head.

5. Since the sixth respondent is a Government school, the liability has to be necessarily borne by the third respondent. I direct the third respondent to pay a sum of Rs.1,25,000/- (Rupees One Lakh and Twenty Five Thousand only) towards compensation to the petitioner. Whatever had already been paid, the same shall be adjusted. This writ petition stands allowed on these terms. No costs. Consequently, connected miscellaneous petitions are closed.

12.11.2025

NCS : Yes / No
Index : Yes / No
Internet : Yes / No

PMU



WEB COPY



To:

1. The Secretary,
Department of Education,
St. George Fort, Chennai – 600 009.
2. The Director of School Education,
Directorate of School Education,
College Road, Chennai.
3. The Director Collector,
Thanjavur District,
Thanjavur.
4. The Chief Education Officer,
O/o.the Chief Education Officer,
Thanjavur District.
5. The District Education Officer(Higher Secondary),
District Education Office,
Thanjavur District.
6. The Headmaster,
Government Girls Higher Secondary School,
Peravurani,
Thanjavur District.



WEB COPY



6

W.P.(MD)NO.16169 OF 2024

G.R.SWAMINATHAN,J.

PMU

W.P.(MD)No.16169 of 2024

12.11.2025