



W.P(MD)No.30022 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :05.08.2025

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CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.30022 of 2024

L.Meenakshi

... Petitioner

VS.

1. The State of Tamil Nadu,
Represented by its Additional Chief Secretary/
Commissioner of Revenue Administration,
Commissionerate of Revenue Administration
and Disaster Management, Ezhilagam,
Chennai - 600 005.
2. The Chairman,
District Disaster Management Authority and District Collector,
Collectorate Buildings,
Madurai - 625020.
3. The Revenue Divisional Officer,
Melur Revenue Division,
Narasingampatti @ Vellaripatti,
Melur Taluk,
Madurai - 625122.
4. The Inspector of Police,
C-4, Othakadai Police Station,
Narasingam Road,
Y.Othakadai,
Madurai - 625107.
5. The President,
Othakadai Village Panchayat,
Madurai Melur Main Road,
Othakadai, Madurai - 625 107.

...Respondents



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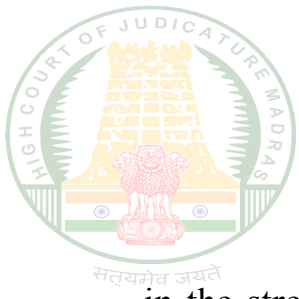
(R5 is impleaded vide Court order dated
21.01.2025 in WMP(MD)No.1252 of
2025 in WP(MD)No.30022 of 2024)

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 provide appropriate compensation under the Natural Disaster Compensation to the petitioner for the tragic death of her husband due to the negligence of authorities in controlling stray cattle considering the principles laid down by the Honourable Supreme Court in various judgements regarding compensation in cases of administrative negligence within a stipulated time that may be fixed by this Court.

For Petitioner	: Mr.P.Saravanakumar
For R1 to R3	: Mr.S.Shanmugavel Additional Government Pleader
For R4	: M/s.M.Aasha Government Advocate (Criminal side)

ORDER

The present Writ Petition has been filed for the issuance of a Writ of Mandamus, to direct the respondents to provide appropriate compensation under the Natural Disaster Compensation to the petitioner for the tragic death of her husband due to the negligence of authorities in controlling stray cattle considering the principles laid down by the Honourable Supreme Court in various judgements regarding compensation in cases of administrative negligence within a stipulated time.



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2. The contention of the petitioner is a stray cow which was roaming in the street hit the petitioner's husband and he was grievously injured. He was taken to the hospital but he could not be saved and he died in the hospital while in treatment. Therefore, the petitioner is seeking to grant compensation under appropriate government order especially under Natural Disaster Act.

3.The 2nd respondent has filed a counter affidavit stating that the present incident will not fall under the definition stated under the Disaster Management Act for which the 2nd respondent relied on the definition which is extracted hereunder:

"Section 2(d) in The Disaster Management Act, 2005:

(d)"disaster" means a catastrophe, mishap, calamity or grave occurrence in any area, arising from natural or man made causes, or by accident or negligence which results in substantial loss of life or human suffering or damage to, and destruction of, property, or damage to, or degradation of, environment, and is of such a nature or magnitude as to be beyond the coping capacity of the community of the affected area; "

By the above definition, the fund sanctioned by the Government can be utilized only for 'natural calamities' such as floods, heavy rains, fire accident, land sliding, earth quack, environmental issues and not for individual cases like the case of the petitioner's husband.

4.However, the learned Counsel appearing for the petitioner



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submitted man-made causes will also come under the Act.

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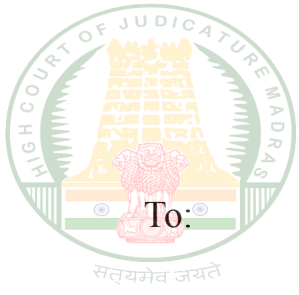
5.It is seen that the Act is applicable if there is a large scale damage and not for a single incident like stated supra. For example, if the stray dogs or stray animals caused nuisance to the entire area, then the above Act will be applicable. However, the petitioner is entitled to compensation under the Chief Minister's Relief Fund. Hence, the petitioner's application ought to be considered by the 3rd respondent Revenue Divisional Officer under Chief Minister's Relief Fund. Therefore, the 3rd respondent is directed to consider the petitioner's claim and grant the compensation of Rs.1,00,000/- (Rupees One Lakh only). The same shall be disbursed within a period of eight weeks from the date of receipt of a copy of this order.

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

05.08.2025

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

Tmg



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To:

1. The Additional Chief Secretary/
Commissioner of Revenue Administration,
Commissionerate of Revenue Administration
and Disaster Management, Ezhilagam,
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S.SRIMATHY, J.

Tmg

**ORDER MADE IN
W.P(MD)No.30022 of 2024**

DATED :05.08.2025