



WEB COPY

WP No. 6752 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-02-2026

CORAM

THE HON'BLE MS. JUSTICE P.T. ASHA

WP No. 6752 of 2026

and WMP.No.7324 of 2026

V.Ruba

..Petitioner(s)

Vs

1. The State Of Tamil Nadu
Rep. by its principal secretary to Government,
Labour and Employment Department,
Fort St.George, Chennai 09
2. The commissioner of Labour
Labour Department,
Teynampet, Chennai 06
3. The Assistant Commissioner of Labour
Tamil Nadu Construction Worker Welfare Board,
(Social Security Scheme),
Dharmapuri 636 005
Dharmapuri district
4. The Tamil Nadu Unorganized worker welfare
board
Rep. by its Secretary,
RR complex, Anna St.,
Gandhi Nagar AVadi,
Chennai 54



5. The Administrative officer
The Tamil Nadu Construction worker welfare
board,
No . 8 Valluvar Kottam High Road,
Nungambakkam,
Chennai 34

..Respondent(s)

Prayer: - Writ petition under Article 226 of the constitution of India praying for issuance of a writ of CERTIORARIFIED MANDAMUS calling for records of the impugned rejection order passed by the 5th respondent dated 25.05.2017 in Letter No. Oo1/ 10184/ 2017 and quash the same, consequently direct the respondents to disburse the death compensation a sum of Rs. 5,00,000/- for the death of petitioners husband under the Tamil Nadu Manual Workers (construction workers) Welfare scheme for protecting her family livelihood and pass

For Petitioner(s): Mr. M.R.Jothimanian

For Respondent(s): Mr. S.Rajesh,GA for R1 to R5

ORDER

The petitioner seeks to quash the order passed by the 5th respondent dated 25.05.2017 in and by which the request of the petitioner to provide compensation of a sum of Rs.5.00,000/- for the death of her husband under the provisions of the Tamil Nadu Manual Workers (Construction Workers) Welfare Scheme (hereinafter referred to as the “Scheme”) has been refused to be disbursed.



2. The petitioner would submit that she and her family members are permanent resident of Kothamanligaran, Kottai, Elagiri Vilalge, Nallamballi Taluk, Dharmapuri District. Her husband, late Mr.Vadivel was a construction worker and they all hail from a social and backward strata of society.

3. The petitioner's husband was engaged in agricultural coolie work and other daily wage labour for the livelihood of his family. He had gone to Bangalore on a contractual basis for construction work along with his co-workers. During the course of such work, he sustained severe injuries in a wall collapse and subsequently died.

4. The petitioner's contention is that her husband died on 18.09.2013 at about 09:30 a.m. at his work site. Her father-in-law had lodged a complaint with the Inspector of Police, Bangalore City, regarding his death, which was registered as Crime No.57/2016 under Section 174 of the Cr.P.C. As a result of this accident, the petitioner and her children have lost their sole breadwinner.

5. It is her contention that the Government of Tamil Nadu had issued a welfare scheme for construction workers under the Tamil Nadu Workers



(Regulation of Employment Conditions of Service) Act and therefore she as a legal heir of his deceased husband is entitled to the death benefits.

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6. The petitioner's main grievance is that she had submitted an application seeking compensation, which was rejected by the 5th respondent by order dated 25.05.2017, on the ground that the accident had occurred in Bangalore, outside the State of Tamil Nadu, and therefore the Scheme was not applicable. Aggrieved by the same, the petitioner is before this Court.

7. The learned counsel for the petitioner would contend that from the scheme of the Act it is clear that State Government of Tamil Nadu had intended to protect the construction/manual workers and therefore the petitioner's husband being the construction worker having died in the course of his employment is liable to be compensated under this Scheme.

8. The learned counsel for the petitioner would further contend that Clause 11 of the Scheme has been amended to include all manual workers who meet with accidents. According to the petitioner, this implies that the Act is applicable to any person belonging to the State of Tamil Nadu. In this regard, he



would rely upon a judgment passed by this Court in W.P. No. 42035 of 2025, dated 09.12.2025.

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9. On the other hand, the learned counsel for the respondents would submit that the Scheme is applicable only within the State of Tamil Nadu and does not cover accidents that occur outside the State. He would therefore contend that the impugned order is in order.

10. Heard the learned counsel on either side and perused the records.

11. A perusal of the Scheme, particularly Clause 1(2), would clearly show that the Act applies only to accidents occurring within the State of Tamil Nadu. Therefore, a construction worker is entitled to compensation under the Scheme only if he sustains injuries within the State of Tamil Nadu.

12. The judgment relied upon by the learned counsel for the petitioner relates to an accident that had taken place in Salem, within the State of Tamil Nadu. Therefore, the petitioner's contention that the said judgment impliedly holds that an accident involving a person belonging to the State of Tamil Nadu,



even if it occurs outside the State, is also covered under the provisions of the Scheme, may not be correct.

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13. In the present case, admittedly, the petitioner's husband died while working as a construction worker outside the State of Tamil Nadu, at Bangalore, Karnataka. Therefore, the provisions of the Scheme would not apply to the petitioner's late husband.

14. Therefore, the order passed by the 5th respondent cannot be found fault with. Accordingly, the Writ Petition is dismissed. No costs. Consequently, the connected Miscellaneous Petition is closed.

25-02-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

SHR

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