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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **26.03.2026**

CORAM:

THE HONOURABLE **MR.JUSTICE N.SATHISH KUMAR**
AND

THE HONOURABLE **MR.JUSTICE M.JOTHIRAMAN**

C.M.P.(MD)No.1619 of 2026

and

W.A.(MD)No. SR 10232 of 2026

Velammal

... Petitioner

Vs.

1.The District Collector,
Ramanathapuram District,
Ramanathapuram.

2.The Tahsildar,
Paramakudi Taluk,
Paramakudi,
Ramanathapuram District.

... Respondents

PRAYER in C.M.P.(MD)No.1619 of 2026:- Petition filed under Section 5 of the Limitation Act, to condone the delay of 349 days in filing the writ appeal against the impugned order dated 21.01.2025 passed in W.P.(MD)No.19138 of 2022.

PRAYER in W.A.(MD)No.SR 10232 of 2026:- Appeal filed under Clause 15 of the Letters Patent Act, to set aside the order dated 21.01.2025 passed in W.P.(MD)No.19138 of 2022.



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For Petitioner : Mr.A.Saravanan
for Mr.S.Veeranasamy

For Respondents : Mr.S.P.Maharajan
Special Government Pleader

ORDER

(Order of the Court was made by **N.SATHISH KUMAR, J.**)

The petition has been filed seeking to condone the delay of 349 days in filing the above writ appeal.

2. Upon examining the reasons provided in the affidavit, we are not satisfied with the justification for the delay, as the petitioner has only made general allegations of poverty as the reason for not filing the appeal within the prescribed time. The petitioner claims that her son drowned in a deep pit filled with water at the Vaigai River, located behind the Government Higher Secondary School in the Manchalpattinam area of Paramakudi, due to heavy rains in the locality. Consequently, the petitioner sought compensation from the Government, alleging no negligence on its part. She had filed a writ petition seeking a writ of mandamus directing the respondents to take appropriate action for the



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early disbursement of the death compensation amount. However, the learned Single Judge, after considering the facts and circumstances of the case, dismissed the writ petition on the ground that the appellant's son was minor at the time of his death, the petitioner is being the mother permitted his son to take bath in the vaigai river. Therefore, the action should be taken as against the parents, who permitted their minor wards to take bath in the vaigai river, after knowing that there is deep and huge water and even the person, who know swimming can easily drown in the river. Aggrieved by this dismissal, the petitioner has filed the present appeal.

3. We are of the view that the learned Single Judge has rightly dismissed the writ petition. There is no sufficient ground to interfere with the order of the learned Single Judge. Therefore, this petition to condone the delay of 349 days is dismissed, and consequently, the Writ Appeal is also rejected at the SR stage. No costs.

4. However, the petitioner is granted liberty to file an appropriate suit in accordance with the law to establish the alleged negligence. Additionally, the Government is directed to consider the



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proposal for releasing the Chief Minister's Relief Fund for the death of the petitioner's son, in accordance with the applicable rules.

[N.S.K., J.] & [M.J.R., J.]
26.03.2026

Index : Yes/No
Internet : Yes
am

To

1. The District Collector,
Ramanathapuram District,
Ramanathapuram.
2. The Tahsildar,
Paramakudi Taluk,
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Ramanathapuram District.



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**N.SATHISH KUMAR, J.
AND
M.JOTHIRAMAN, J.**

am

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and
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