



W.P.(MD) No.27345 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.01.2026

CORAM

THE HONOURABLE MR. JUSTICE KRISHNAN RAMASAMY

W.P.(MD)No.27345 of 2023
and W.M.P.(MD)No.23483 of 2023

Sri Lakshmi

... Petitioner

Vs

1. The District Collector,
Thoothukudi District,
Thoothukudi
2. The Chief Educational Officer,
Chief Educational Office,
Thoothukudi.
3. The District Educational Officer,
District Educational Office,
Thoothukudi.
4. The Headmistress,
Subbiah Vidyalayam Girls Higher
Secondary School,
120/2, Perumalpuram Road,
Thoothukudi - 628 003.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 1 to 3, to take appropriate action against the 4th respondent school and its staff



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based on the enquiry report of the 3rd respondent dated 07.12.2022 and consequently direct the 4th respondent school management to pay a sum of Rs.5,00,000/- as compensation towards the negligence in administering the DPT vaccine twice within a week to the daughter of the petitioner namely Aashika Rani, D/o.Santhosh Kumar and also towards mental agony caused to her by considering the representation of the petitioner dated 07.08.2023 within a specified time as may be fixed by this Court.

For Petitioner : Mr.P.Suresh
For Respondents : Mr.P.T.Thiraviam,
Govt. Advocate for R1 to R3
: Mr.M.N.Ramkumar for R4

ORDER

This Writ Petition is filed seeking a Mandamus as against the respondents 1 to 3, to take appropriate action against the 4th respondent school and its staff based on the enquiry report of the 3rd respondent dated 07.12.2022 and consequently direct the 4th respondent school management to pay a sum of Rs.5,00,000/- as compensation towards the negligence in administering the DPT vaccine twice within a week to the daughter of the petitioner namely Aashika Rani,



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D/o.Santhosh Kumar and also towards mental agony caused to her by considering the representation of the petitioner dated 07.08.2023 within a specified time as may be fixed by this Court.

2. The learned counsel appearing for the petitioner would submit that the petitioner's daughter viz., Aasikha Rani was studying 1st standard in the 4th respondent School and due to negligence on the part of the 4th respondent school, within a week, two times DPT vaccine was given to the petitioner's daughter. Due to re-vaccination, the petitioner's daughter suffered severe fever and sneeze and she was under medical observation for quite some time. In this regard, the petitioner has given a compliant to the educational authorities and based on the complaint, the DEO conducted an enquiry and forwarded a report to the CEO. However, no further steps have been taken against the officials of the 4th respondent school. Therefore, the petitioner has filed this Writ Petition.

3. The learned Government Advocate appearing for the respondents 1 to 3 would submit that based on the complaint given by the petitioner, enquiry has been conducted and a report has been forwarded to the CEO.



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4. Considering the facts and circumstances of the case, this Court is of the view that since by way of conducting enquiry, the petitioner's grievance has already been addressed, she cannot insist to pass orders by the first respondent to punish the teachers in the 4th respondent school. It is upto the authorities concerned, to take necessary action in accordance with law. Therefore, this Court is not inclined to issue any direction to the respondents 1 to 3 to take appropriate action against the 4th respondent school. However, with regard to the compensation is concerned, this Court is inclined to issue a direction to the respondent to consider the representation of the petitioner dated 07.08.2023.

5. Accordingly, this Court directs the respondents 1 to 3 to consider and pass orders on the representation of the petitioner dated 07.08.2023, with regard to the compensation alone, on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.



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6. With the above direction, this Writ Petition is disposed of.

There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

20.01.2026

vsm

Index : Yes/No

NCC : Yes/No

To

1. The District Collector,
Thoothukudi District,
Thoothukudi
2. The Chief Educational Officer,
Chief Educational Office,
Thoothukudi.
3. The District Educational Officer,
District Educational Office,
Thoothukudi.



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KRISHNAN RAMASAMY, J.

vsm

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