

W.A(MD)No.1436 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 21.08.2024

CORAM:

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
and
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

**W.A(MD)No.1436 of 2024
and
C.M.P(MD)No.11066 of 2024**

- 1.The Principal Secretary,
Health and Family Welfare Department,
State of Tamilnadu,
Secretariat, Fort St. George,
Chennai – 600 009.
- 2.The Commissioner,
Commissioner of Rehabilitation and Welfare of Non-Resident Tamils,
Chepakkam,
Chennai – 600 009.
- 3.The District Collector,
Office of the District Collector,
Madurai District. ... Appellants/Respondents

-vs-

Athipathi ... Respondent/Petitioner

PRAYER: Appeal filed under Clause 15 of Letters Patent, against the order made in W.P(MD)No.9068 of 2015, dated 21.08.2023.

For Appellants :Mr.S.P.Maharajan,
Special Government Pleader



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For Respondent :Mr.R.Alagumani

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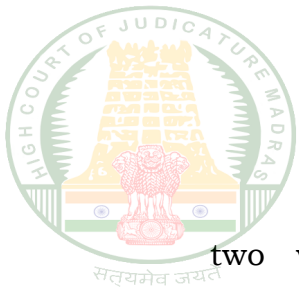
JUDGMENT

[Judgment of the Court was made by R.SUBRAMANIAN, J.]

This frivolous writ appeal is at the instance of the State.

2. Admittedly, a child died when a poorly constructed and poorly maintained wall in the Srilankan Refugee camp at Thiruvadavur, Melur Taluk colapsed. The State Government which had paid Rs.10,00,000/- to dependents of persons who died by consuming illicit liquor, has filed this writ appeal objecting payment of Rs.5,00,000/- as compensation for the death of the child in a calamity. This action of the Government is unpardonable and inexcusable.

3. Reliance is placed upon a Government Order issued by the Government fixing Rs.25,000/- as compensation. The said Government Order in our considered opinion can very well be ignored by this Court while determining compensation for the deaths caused due to the negligence of the authorities. Hence, this writ appeal is dismissed with cost of Rs.50,000/- to be paid to the respondent within



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two weeks from today. Consequently, connected Miscellaneous
petition is closed.

3. List the writ appeal on 06.09.2024 'for reporting compliance'.

[R.S.M., J.] [L.V.G., J.]

21.08.2024

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

To:

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State of Tamilnadu,
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Chennai – 600 009.

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and
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pm

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