

W.P(MD)Nos.6143 and 6347 of 2020

P.N.PRAKASH,J.
AND
B.PUGALENDHI,J.

COMMON ORDER

[Order of the Court was made by **P.N.PRAKASH,J.**]

Heard Mr.Henri Tiphagne, learned Counsel for the petitioner in W.P(MD)No.6143 of 2020, Mr.V.M.Balamohan Thambi, learned Counsel for the petitioner in W.P(MD)No.6347 of 2020, Mr.K.Chellapandian, learned Additional Advocate General assisted by Mr.R.Sethuraman, learned Special Government Pleader appearing for the State and Mr.R.Murali, learned Standing Counsel for Madurai Corporation.

2. In these writ petitions, the petitioners are highlighting the plight of the Sanitary Workers in various local bodies and are seeking the intervention of this Court to ameliorate them.

3. It is the main grievance that the Sanitary Workers have not been supplied with the minimum protective equipments, like mask, gloves, shoes, etc., which are essential for their very survival. The prayers in these writ petitions are, indeed, very wide and tend to cater to the requirements of all the local bodies that fall within the jurisdiction of this Bench. However, to start with, we confine ourselves to address the issues in the Madurai Corporation and thereafter, we feel that we can expand the terms to the other Corporations and local bodies as well.

4. On our directions, Dr.Vinoth Raja, City Health Officer (In-Charge), Madurai Corporation, is present. He submitted to us that there are totally around 5,300 Sanitary Workers in the Madurai Corporation, both permanent and contractual and that the Corporation has supplied to each one of them a set of protective equipments, namely, (i) Mask; (ii) A pair of gloves; (iii) A pair of boots; (iv) Face Shield and (v) Full Suit.

5. He further contended that the Sanitary Workers have signed in the Registers for having received the aforesaid items. However, when it is brought to his notice that the Sanitary Workers were found without wearing any of them as could be seen from the photographs that appeared in the press, he submitted that most of them are not very sensitive to these aspects and they take things very easy. He further stated that for every 10 Wards, there is a Sanitary Supervisor whose duty is to ensure that the Sanitary Workers wear these items when they are on work.

6. Mr.Henry Tiphagne, learned Counsel for the petitioner in W.P(MD)No. 6143 of 2020, submitted that in several places, especially, while cleaning market areas, the Sanitary Workers are continuing to work without these protective equipments and he further disputed the claim of the City Health Officer that everyone of them has been supplied with the said equipments.

7. We are not going to investigate into this dispute and on the contrary, we proceed on the premise that the Madurai Corporation has supplied to the Sanitary Workers the aforesaid equipments. The City Health Officer, Madurai Corporation, explained to us that the Sanitary Workers deployed in the Containment Zones are alone required to wear the Full Suit and the others are required to wear masks, gloves and boots.

8. The City Health Officer, Madurai Corporation, further submitted that the Corporation will ensure that the Sanitary Supervisors conduct inspection at least thrice in each Ward and report to the Zonal Officers concerned if they find any Sanitary Worker working without mask and gloves.

9. Accordingly, we direct that the Sanitary Supervisors should also ensure that the Sanitary Workers wear the boots apart from masks and gloves while working in market places and report violations, if any, to the Zonal Officers concerned immediately by sending Whatsapp images, so that, the Zonal Officers can take appropriate action against the Sanitary Worker concerned.

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10. We believe that some strict action has to be taken in order to sensitise the Sanitary Workers about the need to wear the protective equipments for their own safety, as well for the well-being of their families.

W.P(MD)Nos.6143 & 6347 of 2020

11. We direct the Madurai Corporation to comply with the aforesaid commitments forthwith.

12. The learned Additional Advocate General appearing for the State submitted that he will give appropriate instructions to the Commissioners of other Corporations to direct their Sanitary Supervisors and Zonal Officers to follow the protocol that has been set out above for the Madurai Corporation and ensure compliance.

13. Mr.Henry Thipagne, learned Counsel for the petitioner in W.P(MD)No. 6143 of 2020 also had a word of praise for the Madurai Corporation by submitting that the Corporation has placed in the public domain the phone number (84284 25000) for any member of the public to contact them and ventilate their grievance and when he himself tested it, there was an immediate response from the authorities.

14. We believe that this Helpline can also be resorted to by any member of the public to inform the Corporation authorities if they find any Sanitary Worker in a particular area working without protective equipments.

15. Further, the learned Additional Advocate General appearing for the State submitted that apart from the Health Wing, there is yet another Wing, by

W.P(MD)Nos.6143 & 6347 of 2020

name, Drainage Wing, under the head of City Engineer, where, about 2,500 workers are involved in cleaning the drainage.

16. Mr.Henry Thipagne, learned Counsel for the petitioner in W.P(MD)No. 6143 of 2020 submitted that even those workers are found working without any protective equipments.

17. Therefore, we call for the the presence of the City Engineer, Drainage Wing, Madurai Corporation, before us on 08.06.2020.

18. Call on **08.06.2020**.

Index :Yes/No
Internet :Yes/No
rsb

[P.N.P.,J.] [B.P.,J.]
01.06.2020

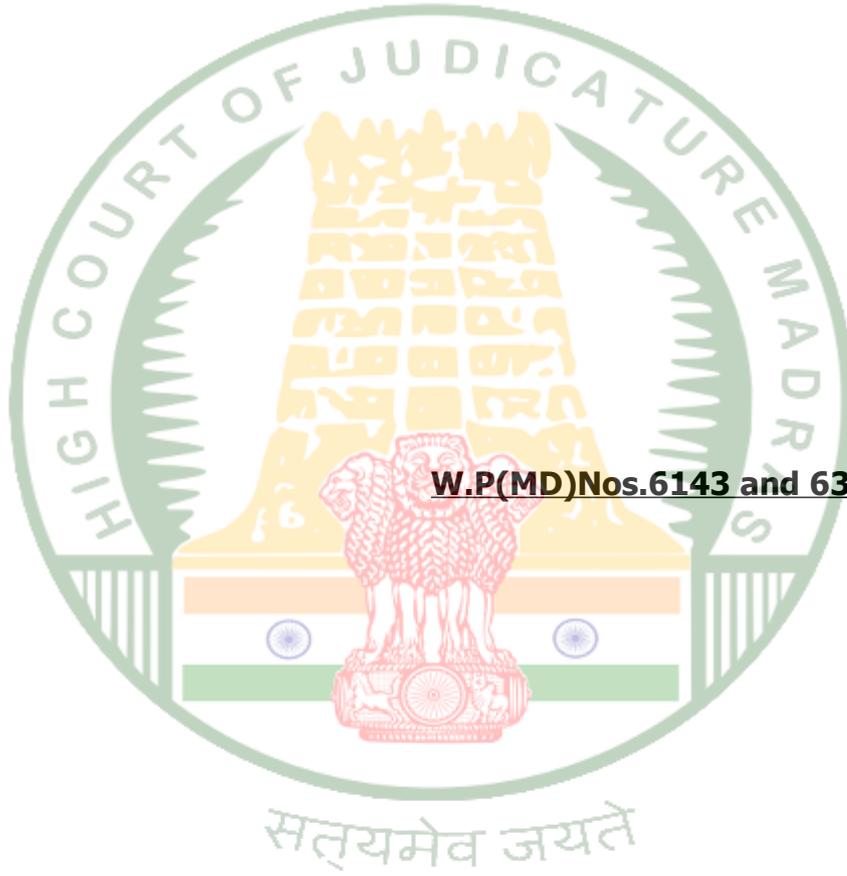
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