

MANU/TN/7076/2021

IN THE HIGH COURT OF MADRAS

W.P. Nos. 17380 of 2017, 31345 of 2014 and W.P. (MD) No. 24243 of 2019

Decided On: 08.09.2021

Appellants: **Safai Karmachari Andolan**
Vs.

Respondent: **Union of India and Ors.**

Hon'ble Judges/Coram:

Sanjib Banerjee, C.J. and P.D. Audikesavalu, J.

Counsels:

For Appellant/Petitioner/Plaintiff: Srinath Sridevan, Sholoka Narayanan, T.K. Bhaskar, K. Harishankar and Aishwarya S. Nathan, Advocates

For Respondents/Defendant: Govt. Pleader, P.G. Santhosh Kumar, N. Ramesh, K. Magesh, K. Soundara Rajan and J. Sathyanarayana Prasad, Advocates

Sanjib Banerjee, C.J.

1. Pursuant to the previous orders, the petitioner in W.P. No. 17380 of 2017 has made some suggestions incorporated in a memorandum dated April 21, 2021. The respondents should immediately indicate their views.

2. It is heartening that no further death of any safai karmachari is reported. There cannot be any manual scavenging at all and it will continue to be the responsibility of all municipal bodies and Corporations across the State to ensure that there is no manual scavenging activity undertaken. The Commissioners of the Corporations and the heads of the Municipalities, as indicated in previous orders, will be personally held liable in case any manual scavenging activity is detected or any mishap occurs in course thereof.

3. So as not to compromise public interest, the State should endeavour to obtain appropriate machines or improve the sewer lines to ensure that no manual scavenging is necessary anywhere in the State. It will also be the responsibility of the heads of Corporations and of Municipalities to ensure that no private person also indulges in any manual scavenging activity or engages any other in such regard.

4. List the matter six weeks hence. The State's template for critical guidelines to be issued in such regard should be in place by the time the matter appears next.

5. All Commissioners of Municipal Corporations across the State and heads of the Municipalities should file written undertakings to the effect that no manual scavenging work would be permitted to be undertaken within the relevant corporation or municipality areas. The court may, ultimately, suggest such undertaking to be furnished by any Commissioner pertaining to Corporation or head of the Municipality when assuming office in future.

Let the matter appear on November 10, 2021.

© Manupatra Information Solutions Pvt. Ltd.