



W.P(MD)No.9652 of 2018

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.07.2026

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P(MD)No.9652 of 2018
and
W.M.P(MD)No.25683 of 2025

G.Jeyalakshmi

... Petitioner

Vs

1.The Superintendent Engineer,
Office of Superintending Engineer,
TANGEDCO, K.Pudur,
Madurai.

2.The Assistant Engineer,
Office of Assistant Engineer,
Vadipatti, Madurai District.

3.The District Forest Officer,
Office of District Forest Officer,
Race Course Road, Madurai.

4.The Forest Officer,
Office of Forest Officer,
Andipatti Bungalow,
Vadipatti Taluk, Madurai District.

... Respondents



W.P(MD)No.9652 of 2018

WEB COPY

PRAYER: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus directing the respondents to consider the petitioner's representation dated 24.03.2017 and to direct the respondents to pay a sum of Rs.10,00,000/- towards the death of the petitioner's husband who met with an accident due to electric shock on 21.04.2015 due to the negligence on the part of the respondents.

For Petitioner : Ms.V.Muthumani

For Respondents : Mr.S.Deenadhayalan (R1 & R2)
Standing Counsel

: Mr.R.Ramasamy (R3 & R4)
Counsel for State

ORDER

This Writ Petition has been filed seeking issuance of a Writ of Mandamus directing the respondents to consider the petitioner's representation dated 24.03.2017 and consequently direct the respondents to pay a sum of Rs.10,00,000/- as compensation on account of the death of the petitioner's husband, who died due to electrocution on 21.04.2015, allegedly on account of the negligence of the respondents.



W.P(MD)No.9652 of 2018

WEB COPY

2.The learned counsel appearing for the petitioner submitted that the petitioner's husband was employed as a carpenter and was the sole breadwinner of the family, earning a monthly income of about Rs.15,000/-. On 21.04.2015, he had gone to carry out carpentry work at the Forest Office, Andipatti Bungalow, Vadipatti, Madurai District, along with other workmen, namely, Pugalendhi, Lakshmanan and Pothi. While he was carrying out the said work in the premises of the fourth respondent, he suffered electrocution due to the negligent maintenance of the electrical installation in the office premises. He was immediately taken to the Government Hospital, Vadipatti, where he was declared dead. Pursuant thereto, the jurisdictional police registered a case in Crime No.208 of 2015, dated 21.04.2015, under Section 174 of the Code of Criminal Procedure. Thereafter, the petitioner submitted a representation dated 24.03.2017 seeking payment of compensation. Since no orders were passed on the said representation, the present Writ Petition has been filed.



W.P(MD)No.9652 of 2018

WEB COPY

3.The learned counsel for the petitioner further submitted that the deceased was engaged by the fourth respondent on daily wages for carrying out carpentry work. According to him, the death occurred solely due to the negligent maintenance of the electrical installation by the respondents 3 and 4. Therefore, the respondents 3 and 4, being the principal employer and the authority in control of the premises, are liable to pay compensation to the petitioner. Accordingly, he prayed for appropriate orders.

4.The learned counsel appearing for respondents 1 and 2 submitted that compensation by the Electricity Department would arise only in cases where the accident occurs due to improper maintenance of public electrical installations maintained by the Department. In the present case, the accident admittedly occurred within the premises of the fourth respondent. Therefore, the respondents 3 and 4, being the principal employer, are liable to pay compensation in accordance with the provisions of the Employees'



W.P(MD)No.9652 of 2018

WEB COPY

Compensation Act. He therefore prayed for dismissal of the Writ Petition as against the respondents 1 and 2.

5.Per contra, the learned counsel appearing for the respondents 3 and 4 submitted that there was no employer-employee relationship between the deceased and the respondents 3 and 4. According to him, there was no contract of employment between them and, therefore, no statutory liability could be fastened upon the respondents 3 and 4. He further submitted that the accident occurred due to the negligence of the deceased himself. Accordingly, he prayed for dismissal of the Writ Petition.

6.This Court has carefully considered the submissions made on either side and perused the materials available on record.

7.The facts giving rise to the present Writ Petition are not seriously in dispute. It is an admitted fact that the petitioner's husband had



W.P(MD)No.9652 of 2018

WEB COPY

gone to the premises of the fourth respondent for carrying out carpentry work. It is also not in dispute that he suffered electrocution while carrying out the said work and succumbed to the injuries. The registration of the First Information Report in Crime No.208 of 2015 under Section 174 of the Code of Criminal Procedure also substantiates the occurrence of the incident. The accident admittedly took place within the premises under the control of the respondents 3 and 4. Therefore, the respondents 3 and 4, being the principal employer and the persons having control over the premises, cannot avoid their statutory liability to pay compensation under the provisions of the Employees' Compensation Act. This Court is, therefore, of the considered view that respondents 3 and 4 are liable to compensate the petitioner.

8.Considering the fact that the petitioner has been litigating before this Court for a considerable length of time and that relegating her to approach the Commissioner under the Employees' Compensation Act at this stage would only prolong the litigation, this Court deems it appropriate to quantify the compensation by applying the formula prescribed under the



W.P(MD)No.9652 of 2018

WEB COPY Employees' Compensation Act.

9.The compensation is accordingly computed as follows:

Monthly wages : Rs.8,000/-

Relevant factor : 163.07

Age of the deceased : 48 years

Compensation : $\text{Rs.8,000} \times 163.07 \times 50\%$

= Rs.6,52,280/-

10.Accordingly, the respondents 3 and 4 are directed to jointly pay a sum of Rs.6,52,280/- (Rupees Six Lakhs Fifty-Two Thousand Two Hundred and Eighty only) to the petitioner within a period of eight (8) weeks from the date of receipt of a copy of this order.

11.With the above directions, this Writ Petition stands disposed of. There shall be no order as to costs. Consequently, the connected Miscellaneous Petition is closed.



W.P(MD)No.9652 of 2018

WEB COPY

12.Post the matter on **02.09.2026** under the caption "For Reporting Compliance."

08.07.2026

NCC : Yes / No
Index : Yes / No
ps

Note:- Issue Order Copy on 09.07.2026.



W.P(MD)No.9652 of 2018

WEB COPY

To

1.The Superintendent Engineer,
Office of Superintending Engineer,
TANGEDCO, K.Pudur,
Madurai.

2.The Assistant Engineer,
Office of Assistant Engineer,
Vadipatti,
Madurai District.

3.The District Forest Officer,
Office of District Forest Officer,
Race Course Road,
Madurai.

4.The Forest Officer,
Office of Forest Officer,
Andipatti Bungalow,
Vadipatti Taluk,
Madurai District.



WEB COPY



W.P(MD)No.9652 of 2018

M.DHANDAPANI, J.

ps

W.P(MD)No.9652 of 2018

08.07.2026