



WP(MD). No.35848 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : **20.02.2026**

CORAM

THE HONOURABLE MR. JUSTICE **R.VIJAYAKUMAR**

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Parakathnisha

... Petitioner

Vs

1. The Superintending Engineer,
Tamil Nadu Generation and Distribution
Corporation Limited,
Ramanathapuram,
Ramanathapuram District..

2. The Executive Engineer,,
Tamil Nadu Generation and Distribution
Corporation Limited,
Ramanathapuram Division,
Ramanathapuram District..

3. The Assistant Engineer,,
Tamil Nadu Generation and Distribution
Corporation Limited,
Panikulam Post,
Ramanathapuram District..

... Respondents

PRAYER :- Writ Petition, filed under Article 226 of the Constitution of India, praying this court to issue a Writ of Certiorarified Mandamus to call for the records of the 3rd respondent's impugned Order in



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Ka.No.U.Me.Po/Ve.Ni/Panaikulam/Ko/A.No.302/2025, Dated
28.08.2025 and quash the same, consequently directing the respondents
to provide a compensation to the Petitioner for the death of Petitioner's
son Mohamed Salibu on 01.08.2024 which was caused by the
electrocution due to the negligence of the respondents.

For Petitioner : Mr.K.Yasar Arafath,

For Respondents : Mr.S.Deenadhayalan,
Standing Counsel

ORDER

The present Writ Petition has been filed seeking to quash the
order passed by the third respondent wherein the request of the petitioner
for payment of compensation due to the electrocution of his son, has
been rejected.

2. A perusal of the affidavit reveals that the petitioner's son
climbed over the Poovarsa tree for cutting the branches for the purpose
of animal fodder; an over head lane got snapped and fell on the branches
of trees and when the petitioner's son had touched upon the tree, he got
electrocuted and died.



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3. The respondents have filed counter contending that the petitioner's son had voluntarily climbed upon the tree and while cutting the branches of the tree, he had accidentally touched upon the electrical line even though the said line was at the safe distance, got electrocuted and died. Therefore, there was no negligence on the part of the TANGEDCO and this accident was invited by the voluntary act of the petitioner's son. Therefore, they prayed for dismissal of the Writ Petition.

4. Heard both side and perused the materials available on record.

5. In the impugned order, it has been specifically stated that the petitioner's son while cutting branches of Portia tree, had touched upon the branches which was nearer to the high tension line and got electrocuted. Therefore, it is clear that the branches of the tree were touching upon the high tension line. It is not a case where the petitioner's son had come in direct contact with the line, but only the branches of the tree were in contact with the high-tension electrical line.



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6. As per Regulation 20 of the Tamil Nadu Electricity Distribution Code, the TANGEDCO is expected to conduct inspection and the interfering branches of the trees have to be groomed. If the said regulation had been strictly followed, the accident could have been avoided. When the deceased had not invited the accident and the same has happened due to the non- following of Regulation 20 of Tamil Nadu Electricity Distribution Code, the respondent TANGEDCO cannot escape from their liability to pay compensation.

7. As per board proceedings No.6, dated 16.10.2019 for fatal accident, they are bound to pay a sum of Rs.5 lakhs. Only if the accident had taken place after 21.12.2024, the compensation would get enhanced to Rs.10 lakhs. Considering the fact that the accident had taken place on 01.08.2024, it is governed by board proceedings No.6, dated 16.10.2019, wherein the compensation of Rs.5 lakhs is contemplated for a fatal accident.

8. In view of the above said facts, the respondents are directed to pay a sum of Rs.5 lakhs as compensation along with 6%



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interest from the date of accident, till the date of realisation. In case, if the petitioner seeks additional compensation, it is for him to approach the competent civil Court.

9. With the above said observations, this Writ Petition is allowed to the extent as stated above. The amount will be disbursed within a period of 12 weeks from the date of receipt of a copy of this order.

20.02.2026

Index : Yes/No

NCC : Yes/No

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