

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 04.07.2016

Coram:

The Honourable Mr.SANJAY KISHAN KAUL, CHIEF JUSTICE
and
The Honourable Mr.Justice R.MAHADEVAN

W.P.No.3499 of 2013

N.Senthil Viswarooban

... Petitioner

Versus

1.TANGEDCO rep. by its
Chairman and Managing Director
NPKRR Maligai,
Anna Salai, Chennai 2.

2.State of Tamilnadu
rep. by its Secretary
Energy Department,
Fort St.George, Chennai -5

3.Chief Electrical Inspector to Government
Thiru Vi.Ka. Industrial Estate,
Guindy, Chennai 32.

4.The Commissioner
Chennai Municipal Corporation
Rippon Buildings, Chennai 3.

5.The Secretary to Government
State of Tamil Nadu
Department Municipal Administration
and Water Supply,
Fort St.George,
Chennai 600 009.

6.The Secretary to Government,
State of Tamil Nadu,
Department of Rural Panchayat and
Secretariat,
Fort St.George, Chennai 9.

(R.4 to R.6-impleaded as per order
dated 26.04.2013 by ACJ and NPVJ

in M.P.No.1 of 2013 in W.P.No.3499 of 2013)

... Respondents

Petition filed under Article 226 of the Constitution of India praying for the issue of a writ of Mandamus, directing the respondents authorities concerned to take steps to inspect, rectify, relocate the lines which endanger human life and to device safety measures within a stipulated period.

For Petitioner ::: No appearance

For Respondents ::: Mr.P.R.Dhilipkumar for R.1

Mr.S.T.S.Murthi

Government Pleader

assisted by Mr.V.Shanmugasundarm

Government Advocate for R.2 to R.6

O R D E R

(The Order of the Court was made
by The Hon'ble The Chief Justice)

The petition is really based only on a newspaper report about the electrocution of young boy aged 12 years on coming into direct contact with 11 KV High tension power supply. As to what really transpired in the incident, there are allegations and counter allegations, as to whether the victim was actually jumping for one wall to another or otherwise touched the wire on account of absence of adequate vertical and horizontal clearance etc.

2. The prayer made is for a writ of mandamus, to direct the authorities to take steps to inspect, rectify and relocate the lines which endanger human life

3. We may notice that the prayer is very wide and general in composing as there are various possibilities, including proximity to the supply line on account of unauthorised construction etc. It is based on no personal research made by the petitioner other than merely reading of the news paper report.

4. The counter affidavit filed on behalf of the TANGEDCO /first respondent has referred to the instructions issued to the Officers to take preventive measures as enunciated in paragraph-4 of the affidavit and a comprehensive safety manual has been adopted with periodical reviews.

5. Response also has been given to the various incidents as to why these accidents occurred. It is also stated that there are directions to Superintending Engineers of the District circles for corrective action wherever the lines are found sagging.

6. None has appeared for the petitioner even to prosecute the petition.

7. In view of what is set out herein above and the measures taken by the first respondent, as set out in their counter affidavit, we close this writ petition, leaving the parties to bear their own costs.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

To

1 The Chairman and Managing Director
TANGEDCO
NPKRR Maligai,
Anna Salai, Chennai 2.

2.The Secretary, Energy Department, Fort St.George, Chennai -5

3.Chief Electrical Inspector to Government
Thiru Vi.Ka. Industrial Estate, Guindy, Chennai 32.

4.The Commissioner, Chennai Municipal Corporation
Rippon Buildings, Chennai 3.

5.The Secretary, Department Municipal Administration
and Water Supply, Fort St.George,
Chennai 600 009.

6.The Secretary,
Department of Rural Panchayat and
Secretariat, Fort St.George, Chennai 9

+1 cc to Mr.P.R.Dhilipkumar Advocate sr.37415
+1 cc to M/s.Shaloon Associates sr.37734
+1 cc to Government Pleader sr.37416

W.P.No.3499 of 2013

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