

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.04.2017

CORAM

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

WRIT PETITION Nos.42277 of 2016

Miss.Devi

... Petitioner

Vs.

1. The District Collector,
Collectors Office,
Sathuvachari, Vellore.
2. The Tamil Nadu Energy Generation Corporation,
Rep.by its Superintending Engineer,
S.E.Office, Tirupattur.
3. The Executive Engineer,
The Tamil Nadu Energy Generation Corporation,
Nos.3 & 4 Perumalpettai,
Vaniyambadi, Vellore District.
4. The Chairman,
Tamil Nadu Electricity Board,
Mount Road, Anna Salai,
Chennai - 600 002.

... Respondents

Prayer: This writ petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus, order or direction in the nature of a writ directing the respondents to pay a sum of Rupees Three Lakhs only (Rs.3,00,000/-) to the petitioner as compensation for the injury suffered by the petitioners on 18.06.2010 due to electrocution at Aviyar Street, Pudur, Vaniyambadi, Vellore District.

For Petitioner : M/s.P.Chandrasekar

For Respondent : M/s.M.E.Raniselvam,
Additional Government Pleader
(For R1)

Mr.Varunkumar (For R2 to R4)

ORDER

Heard Mr.P.Chandrasekar, learned counsel appearing for the petitioner, M/s.M.E.Raniselvam, learned Additional Government Pleader appearing for the first respondent and Mr.Varunkumar, learned counsel appearing for the respondents 2 to 4.

2.The petitioner, who suffered an injury on the very same occurrence which is the subject of the earlier writ petition, viz., W.P.No.42027 of 2016, in which this Court has granted a compensation of Rs.7,50,000/- (Rupees Seven Lakhs Fifty Thousand only), seeks compensation for the same.

3.Though this Court has granted compensation in the earlier case in W.P.No.42027 of 2016, the compensation as sought for is unable to be granted by this Court for the sole reason that assessment requires adjudication on facts. Courts have held that in a given case, compensation can be given in part with liberty to the aggrieved parties to approach the Civil Court.

4.In such view of the matter, this Court is inclined to grant a sum of Rs.50,000/- (Rupees Fifty Thousand only) as an interim compensation to the petitioner who is a lady having suffered injuries on her neck as seen from the photographs produced by the learned counsel appearing for the petitioner as well as prima facie consideration of the receipt issued by the Christian Medical College, Vellore. It is also noted that liability has already been fixed on the respondents in the earlier case.

5.Accordingly, the respondents are directed to pay a sum of Rs.50,000/- (Rupees Fifty Thousand only) to the petitioner within a period of eight weeks from the date of receipt of a copy of this order and liberty is also given to the petitioner to approach the competent Civil Court for larger compensation.

6.With the above direction, the writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

cse/abr

To

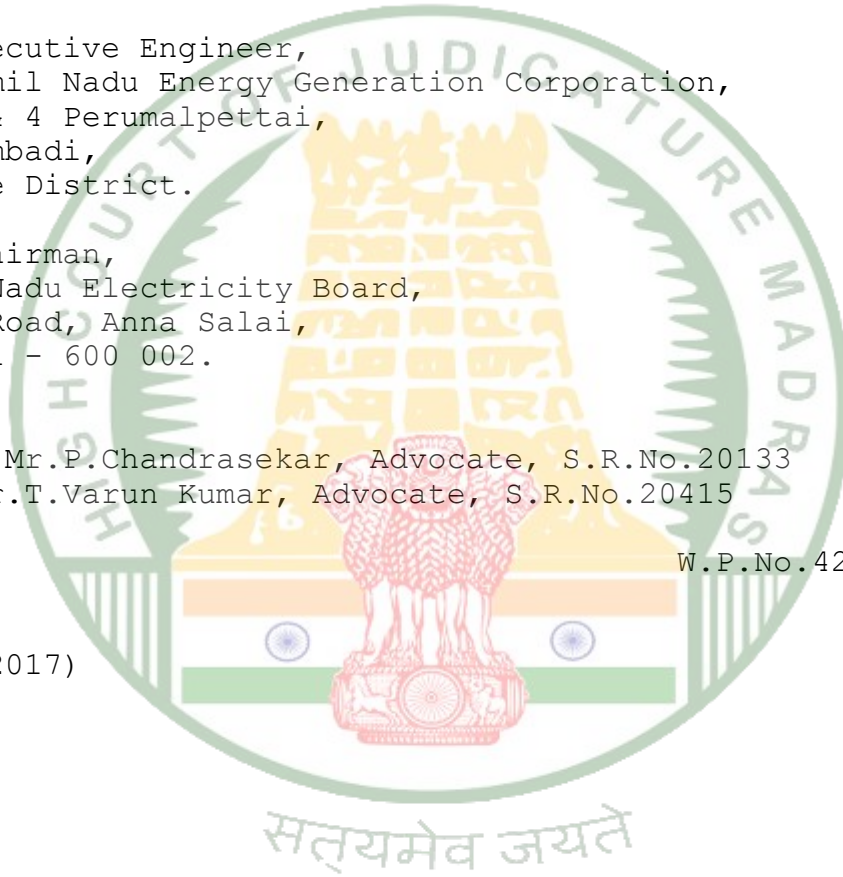
1. The District Collector,
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3. The Executive Engineer,
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+2cc's to Mr.P.Chandrasekar, Advocate, S.R.No.20133

+1cc to Mr.T.Varun Kumar, Advocate, S.R.No.20415

W.P.No.42277 of 2016

SK(CO)
CA(13/04/2017)



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