IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :23.08.2018

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.6435 of 2017

1.Mrs.Mariamal
2.K.Murugan ..Petitioners

vs.

1.The Chief Secretary Govt.of Tamil Nadu,
Secretariat,
Fort St.George, Chennai.

2.The Chairman,
Tamil Nadu Electricity Board,
Annasalai, Chennai - 2.

3.The District Collector,
Villupuram District.
Villupuram.

4.The Executive Engineer(O & M),
Tamil Nadu Electricity Board,
Ulundurpet Division,
Villupuram District.

5.Mr.Govindan

6.Mr.E.Purusothaman ..Respondents

Prayer:
Writ petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus, directing the 2nd respondent to pay compensation to a tune of Rs.20,00,000/-(Rupees Twenty Lakhs only) for the death of Kandan who died due to electrocution on 26.05.2007 near Sirupuriyur Village, Panrutti Taluk, Cuddalore District.

For Petitioners : Mr.N.Elayaraja

For Respondents : Mr.R.S.Selvam, GA for R1 to R3
Mr.M.Varunkumar for R2 and R4
M/s.R.Meenal for R6
No appearance for R5

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O R D E R

The relief sought for in this writ petition is for a direction to the 2nd respondent to pay compensation to a tune of Rs.20,00,000/-(Rupees Twenty Lakhs only) for the death of Kandan who died due to electrocution on 26.05.2007 near Sirupuriyur Village, Panrutti Taluk, Cuddalore District.

2.The 1st respondent is the wife of the deceased person Late Mr.Kandan and the 2nd petitioner is the son of the deceased person. The learned counsel for the petitioner states that the husband of the 1st petitioner died on account of electrocutions due to the negligence of the officials of the Electricity Board. In this regard, he made a representation to award compensation and the claim of the writ petitioners have not been considered by the respondents and therefore, the petitioners are constrained to move the present writ petition.

3.The learned counsel appearing on behalf of the respondent Board states that the Board issued a circular fixing the compensation of Rs.2,00,000/-(Rupees Two Lakhs only) in case of deaths. The Board has no objection in respect of disbursing the payment of Rs.2,00,000/-(Rupees Two Lakhs only) as per the Board circular. If any further compensation is to be awarded, the same can be done only after proper adjudication before the Consumer Grievances Redressal Forum.

4.In this view of the matter, the respondents 2 and 4 are directed to pay Rs.2,00,000/-(Rupees Two Lakhs only) along with the interest from the date of death till the date of payment to the writ petitioners within a period of four weeks from the date of receipt of a copy of this order. Thereafter, the writ petitioner is at liberty to approach the Consumer Grievances Redressal Forum for the purpose of adjudicating their issues, claiming further compensation if any permissible.

5.With these observations, the writ petition stands allowed. However, there shall be no order as to costs.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

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To

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Ulundurpet Division,
Villupuram District.

+1cc to M/s.R.Meenal, Advocate, S.R.No.58192
+1cc to Mr.M.Varunkumar, Advocate, S.R.No.58131
+1cc to the Government Pleader, S.R.No.57893

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