



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE **G.R.SWAMINATHAN**

W.P.(MD)No.10855 of 2015

Chinna Karuppasamy

... Petitioner

Vs

1.The Chariman,
Tamil Nadu Electricity Board,
300, Anna Salai,
Chennai - 2.

2.The Chief Engineer,
Tamil Nadu Electricity Board,
Electricity Avenue,
Chennai-2.

3.The Assistant Engineer,
Tamil Nadu Electricity Board,
Ayakudi, Palani Taluk,
Dindigul District.

...Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to pay an amount of Rs.3,00,000/- (Rupees three lakhs only) by way of compensation to the petitioner, his brother Karuppasamy and Eswaran at the ratio of 1/3rd equal share.

For Petitioner : Mr.T.Lenin Kumar

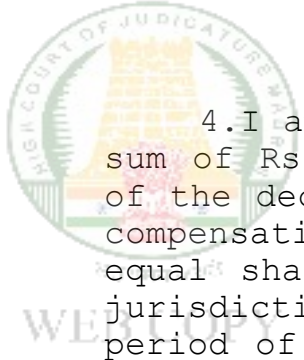
For Respondents : Mrs.S.Srimathy
Special Government Pleader

ORDER

Heard the learned counsel on either side.

2.The petitioner's mother died due to electrocution on 04.08.2013 at about 3.00 a.m., when she went out of the house to attend the call of nature. It appears that a live wire snapped from the electricity post and the petitioner's mother had inadvertently stepped on it.

3.It these matters, this Court will have to necessarily apply the Rule of absolute liability. The petitioner seeks a payment of compensation of Rs.3,00,000/-.



4.I am of the view that the respondents are bound to pay the a sum of Rs.3,00,000/- (Rupees three lakhs only) to the legal heirs of the deceased Nagammal. The third respondent shall disburse the compensation amount to the legal heirs of the deceased Nagammal in equal shares based on the legal heir certificate issued by the jurisdictional Tahsildar. Such amount shall be disbursed within a period of eight weeks from the date of receipt of a copy of this order.

5.This writ petition is allowed in these terms. No costs.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar (CS)

pnn

To

- 1.The Chariman,
Tamil Nadu Electricity Board,
300, Anna Salai,
Chennai - 2.
- 2.The Chief Engineer,
Tamil Nadu Electricity Board,
Electricity Avenue,
Chennai-2.
- 3.The Assistant Engineer,
Tamil Nadu Electricity Board,
Ayakudi, Palani Taluk,
Dindigul District.

+1CC TO MR.T.LENIN KUMAR, Advocate Sr. No.55079

+1CC TO MR.S.M.S.JOHNNY BASHA, Advocate Sr. No.55206

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TR (06.04.2019) 2P 6C