

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.09.2020

CORAM :

The Hon'ble Mr.A.P.SAHI, THE CHIEF JUSTICE

AND

The Hon'ble Mr.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.A.No.368 of 2020
and CMP No.6134 of 2020

1. The Chairman,
Tamil Nadu Electricity Board,
TANGEDCO, No.144, Anna Salai,
Chennai -2.
 2. The Superintending Engineer,
Vellore Electricity Distribution Circle,
TANGEDCO, 10th East Main Road,
Gandhi Nagar, Vellore-6.
 3. The Assistant Engineer,
Operation and Maintenance,
Sathumadurai, TANGEDCO,
Adukamparai, Vellore.
- Appellants

-vs-

1. Veerasami
 2. Ambiga
 3. Raja Rajeswari
- ... Respondents

Appeal filed under Clause 15 of the Letters Patent against the order dated 24.10.2019 passed in W.P.No.18095 of 2017 on the file of this Court.

Prayer in W.P.No.18095 of 2017:

This Writ Petition is filed under Article 226 of the Constitution of India praying this Court to issue a Writ of Certiorarified Mandamus or any other appropriate Writ or order or direction in the nature of Writ to call for the records pertaining to the proceedings bearing KA No.023248/ 477/ VEDC/ Ni Bi 5/ U2/ Mi Vi 2016- 1 dated 21.12.2016 on the file of the Office of 2nd Respondent in awarding compensation to the petitioners at Rs.2,00,000/- on account of Electrocution death

of deceased Mr.Narasimmaraj and Quash the same as insufficient and unlawful and thereby consequentially Direct the 2nd respondent to pay enhanced compensation to the petitioners.

For Appellants : Mr.M. Varun Kumar

For Respondents : Mr.M.H. Himavanth

JUDGMENT

(Delivered by The Hon'ble Chief Justice)

We have heard learned counsel for the appellants and learned counsel for the respondents.

2. The issue lies in a very short compass inasmuch as after filing of the appeal, learned counsel for the appellants submits that the appellants are not contesting the principal amount awarded by the learned Single Judge. It is only on the interest part that the learned counsel for the appellants has relied on the Division Bench judgment of this Court dated 28.02.2020 in W.A.No.297 of 2020 (The Chairman, Tamil Nadu Electricity Board and others vs Priya) that in turn, has referred to the judgment in W.A.No.3967 of 2019 decided on 22.01.2020 (M.Arulappan vs The Secretary to Government and others).

3. We have considered the submissions raised and in view of the aforesaid stand taken by the appellants, the impugned judgment dated 24.10.2019 is modified to the extent that the interest to be awarded to the appellants would be 6% instead of 8%, which shall be payable from the date of institution of the writ petition, which, in the present case is with effect from April 2017.

4. The payments may be released to the respondents not later than three months from today.

5. The writ appeal stands disposed of accordingly with the said modification. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

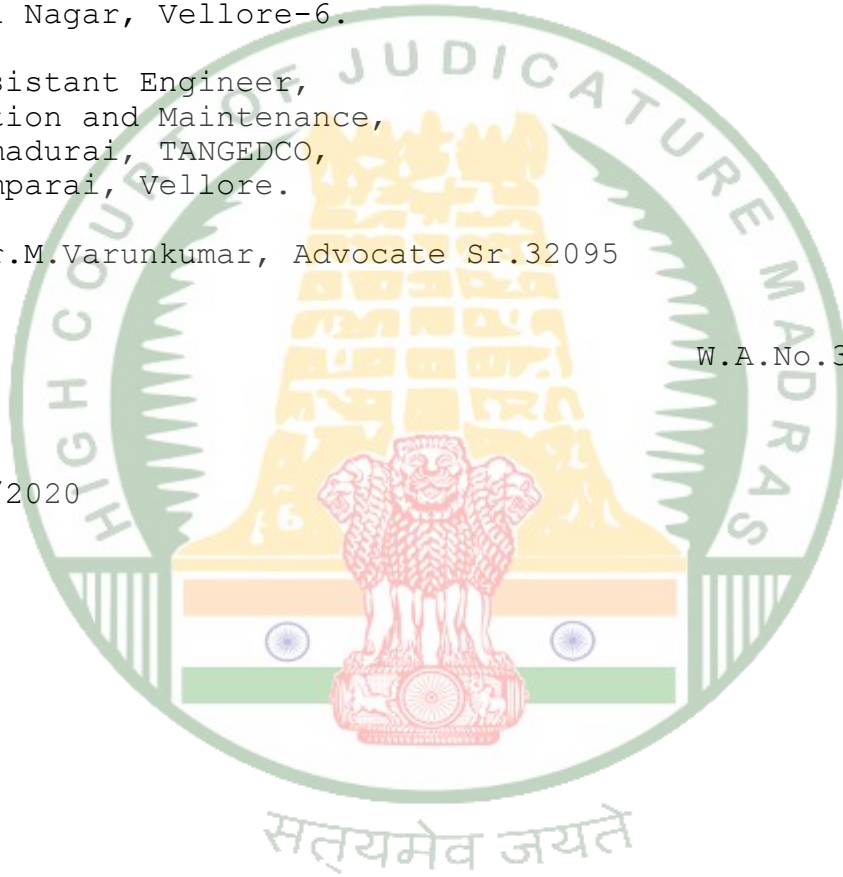
To

1. The Chairman,
Tamil Nadu Electricity Board,
TANGEDCO, No.144, Anna Salai,
Chennai -2.
2. The Superintending Engineer,
Vellore Electricity Distribution Circle,
TANGEDCO, 10th East Main Road,
Gandhi Nagar, Vellore-6.
3. The Assistant Engineer,
Operation and Maintenance,
Sathumadurai, TANGEDCO,
Adukamparai, Vellore.

+1cc to Mr.M.Varunkumar, Advocate Sr.32095

W.A.No.368 of 2020

rld[co]
srg 21/10/2020



WEB COPY