



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18-11-2021

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

WP NO.28096 OF 2013

A.Selvaraj

...Petitioner

vs.

1. The Chief Secretary,
Government of Tamil Nadu,
Fort St. George,
Chennai - 600 009.
2. The Secretary,
Tamil Nadu Electricity Board,
Fort St. George,
Chennai - 600 009.
3. The Chairman,
Tamil Nadu Electricity Generation
and Distribution Corporation Limited,
(TANGEDCO),
Anna Salai,
Chennai - 600 002.
4. The Managing Director,
Tamil Nadu Electricity Generation
and Distribution Corporation Limited,
(TANGEDCO),
Anna Salai,
Chennai - 600 002.

...Respondents

Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondents to award suitable compensation to the tune of Rs.25,00,000/- for the loss of life of the petitioner's daughter, Yogalakshmi.



WEB COPY

For Petitioner : Mr.M.Jaikumar
For Respondent-1 : Mr.C.Jaya Prakash,
Government Advocate.
For Respondents-2 to 4 : Mr.L.Jai Venkatesh,
Standing Counsel for TANGEDCO

O R D E R

The writ petition is filed seeking compensation to the tune of Rs.25 lakhs for the loss of the daughter of the petitioner.

2. The petitioner states that his daughter Yogalakshmi aged about seven years was studying in the II Standard in the Government Middle School. While the daughter was walking through Zaheer Khan Street near the house of the petitioner at about 07.00 P.M., a overhead high density electric wire got snapped and fell upon the daughter of the petitioner and the daughter of the petitioner got electrocuted and she died on the spot.

3. The learned counsel for the petitioner states that the death of his daughter was occurred due to negligence on the part of the Electricity Board. The Electricity Board failed to maintain the overhead electricity wire intact and in a proper manner. Thus the respondents are liable to pay compensation. The petitioner states that he lost his daughter at the tender age.

4. The learned Standing Counsel appearing on behalf of TANGEDCO, on instructions from the Electricity Authorities, made a submission that they are ready to pay the compensation as per the Electricity Board proceedings. The counter-affidavit filed by respondents 2 to 4 (TANGEDCO) also reveals that the death was occurred due to electrocution.

5. This being the undisputed facts established, examination of further documents or evidences became unnecessary. In view of the facts and circumstances, the respondents are directed to pay a sum of Rs.5 lakhs along with interest at the rate of 7.5% per annum from the date of death till the date of realisation. The respondents are directed to settle the abovesaid compensation amount of Rs.5 lakhs along with interest at the rate of 7.5% per annum, within a period of three months from the date of receipt of a copy of this order.



6. With the abovesaid directions, the writ petition stands allowed. However, there shall be no order as to costs.

WEB COPY

Sd/-
Assistant Registrar(CS-V)

//True Copy//

Sub Assistant Registrar

Svn

To

1. The Chief Secretary,
Government of Tamil Nadu,
Fort St. George,
Chennai - 600 009.
2. The Secretary,
Tamil Nadu Electricity Board,
Fort St. George,
Chennai - 600 009.
3. The Chairman,
Tamil Nadu Electricity Generation
and Distribution Corporation Limited,
(TANGEDCO),
Anna Salai,
Chennai - 600 002.
4. The Managing Director,
Tamil Nadu Electricity Generation
and Distribution Corporation Limited,
(TANGEDCO),
Anna Salai,
Chennai - 600 002.

+1cc to M/S.L.Jai Venkatesh, Advocate, S.R.No.59921

+1cc to the Government Pleader, S.R.No.60030

WP 28096 of 2013

KSM(CO)
RLP(01/12/2021)