

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.06.2021

CORAM

THE HON'BLE MR.JUSTICE M.M.SUNDRESH
and
THE HON'BLE MS.JUSTICE R.N.MANJULA

W.A.No.702 of 2020
C.M.P.No.9595 & 12229 of 2020

1. The Chairman,
Tamil Nadu Electricity Board,
No.144, Anna Salai, Chennai-600 002.
2. The Superintending Engineer,
Tamil Nadu Electricity Board,
No.39/5, Kodambakkam High Road,
Chennai-34.
3. The Executive Engineer,
(Operation and Maintenance)
Egmore-Chennai Distribution Circle,
Tamil Nadu Electricity Board,
No.47,Malaiappan Street,
Pulianthope,Chennai-12.
4. The Assistant Executive Engineer,
(Operation and Maintenance)
Egmore-Chennai Distribution Circle,
Tamil Nadu Electricity Board,
No.47,Malaiappan Street,
Pulianthope,Chennai-12.

.. Appellants

सत्यमेव जयते
Vs

1.B.Rani

2.Harikrishnan

.. Respondents

Appeal filed under Clause 15 of Letters Patent against the order dated 12.12.2019 made in W.P.No.25470 of 2017.

PRAYER in W.P.No.25470 of 2017:

Petition under Article 226 of the constitution of India praying for issuance of writ of Mandamus directing the respondents to pay sum of Rs.20,00,000/- (Rupees Twenty Lakhs Only) towards

compensation along with interest at 12% p.a. from the date of occurrence till realisation.

For Appellants : Mr.P.R.Dhilip Kumar

For Respondents : Mr.B.Srinivasan for R1

JUDGMENT

(Delivered by M.M.SUNDRESH, J.)

This appeal has been preferred by the appellants aggrieved over the order of the learned single Judge, who while giving an interim compensation, granted liberty to the first respondent to approach the appropriate forum for claiming compensation.

2.Though the learned counsel appearing for the appellants submitted that the appellants are not responsible and the accident took place within the premises of the second respondent, we are not inclined to go into the said issue as the learned single Judge rightly indicated that the remedy open to the first respondent is to approach the competent forum.

3.In such view of the matter, we are not inclined to interfere with the order passed by the learned single Judge except by reiterating the fact that the competent forum will decide the issue on its own merit without being influenced, which is inclusive of very liability of the appellants. The payment as ordered by the learned single Judge will have to be made within a period of six weeks from the date of receipt of a copy of this judgment.

4.The writ appeal stands dismissed. No costs. Consequently, connected civil miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

raa/mmi

+1cc to Mr.P.R.Dhilip Kumar, Advocate, S.R.No.28930
+2ccs to Mr.B.Srinivasan, Advocate, S.R.No.28795

W.A.No.702 of 2020

RLD (CO)
HS (14/07/2021)