

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.02.2021

CORAM:

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.No.34673 of 2016

S.Suganthi

... Petitioner

Vs.

1.The Tamilnadu Generation and Distribution Corporation Ltd,
Represented by its Chairman,
Anna Salai, Chennai - 600 002.

2.The Superintending Engineer,
TANGEDCO, Chengalpattu,
Kancheepuram District. ... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of Writ of Mandamus, directing the respondents to Award Compensation of Rs.6,50,000/- to the petitioner for the loss suffered due to the death of the petitioner's husband, E.Sudhakar on 09.08.2012 due to the Electric Shock/Electrocution near the bus stop in Kizhur Village, and disburse the same with 18% interest.

For Petitioner : Mr.J.Muthukumaran
For Respondents: Mr.P.Gunaraj

O R D E R

Heard the learned counsel for the petitioner and the respondents.

2. This writ petition is filed by the petitioner to issue a writ of mandamus directing the respondent to Award Compensation of Rs.6,50,000/- to the petitioner for the loss suffered due to the death of the petitioner's husband, E.Sudhakar on 09.08.2012 due to the Electric Shock/Electrocution caused by the snapped live Electric Wires from the public lamppost of TANGEDCO near the bus stop in Kizhur Village, and disburse the same with 18% interest.

3. The petitioner has already received a sum of Rs.2,00,000/- vide a cheque No.525555 dated 03.10.2016 in full and final settlement as compensation. The writ petition was resisted on the ground that no further amount is required to be paid to the petitioner. The petitioner has not only received the aforesaid amount, but also been absolved as an employee of the 2nd respondent.

4. The compensation claimed by the petitioner appears to be reasonable. There are several decisions of this Court wherein the compensation have been awarded applying the formula for awarding compensation under the provisions of the Motor Vehicles Act, 1988. If the compensation is settled as per law settled by the Hon'ble Supreme Court under the Motor Vehicles Act, 1988, the compensation to be paid by the 2nd respondent will be much higher. The petitioner is not only seeking a meagre sum of Rs.6,50,000/- as compensation. Therefore, I find no merits in the claim of the petitioner for a compensation of Rs.6,50,000/-. However, the prayer for interest at 18% appears to be highly exaggerated. Therefore, interest is awarded at 6% from the date of representation i.e. 21.06.2014 till the date of payment.

5. Considering the same, I am inclined to allow this writ petition by directing the respondents to pay a sum of Rs.6,50,000/- to the petitioner together with interest at 6% p.a. from the date of representation i.e. 21.06.2014 till the date of payment.

6. This writ petition stands allowed with the above observation. No costs.

Sd/-
Assistant Registrar(CS)

//True Copy//

सत्यमेव जयते
Sub Assistant Registrar

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To

1.The Chairman,
The Tamilnadu Generation and Distribution
Corporation Ltd,
Anna Salai, Chennai - 600 002.

2.The Superintending Engineer,
TANGEDCO, Chengalpattu,
Kancheepuram District.

+1cc to Mr.J.Muthukumaran, Advocate SR.No. 7816

W.P.No.34673 of 2016

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A.SR(16.06.2021)

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