



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30-11-2021

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

WP No.9106 of 2014

Mrs.Lakshammama

...Petitioner

vs.

1. The Chairman,
Tamil Nadu Electricity Generation and Distribution Co.,
No.144, Anna Salai,
Chennai - 02.
2. The Superintending Engineer (O&M),
The Tamil Nadu Electricity Board,
Dharmapuri - 635 701.
3. The Junior Engineer (O&M),
The Tamil Nadu Electricity Board,
Thally Post,
Denkanikotta Taluk,
Krishnagiri District.

..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 pay Rs.30,00,000/- as compensation to the petitioner for untimely death of Mr.Thammiah due to electrocution on 02.09.2012 due to the negligence of the respondents.

For Petitioner : Mr.K.Prasanna for
M/s.Mukund R.Pandiyan

For Respondents : Mr.L.Jai Venkatesh,
Standing Counsel for TANGEDCO.

O R D E R

The writ on hand has been instituted for a direction to direct the respondents to pay a sum of Rs.30,00,000/- as compensation to the petitioner for the death of Mr.Thammiah due to electrocution on 02.09.2012 due to the negligence of the respondents.

2.The petitioner states that her husband late Mr.Thammiah,



while returning home on 02.09.2012 at about 07.45 P.M., was standing and talking with his friends near the electric pole post in front of Chikkanna's House Kelenatti Village, Sarandapalli Post, Denkanikotta Taluk, Krishnagiri District. Suddenly the husband of the petitioner touched the electric pole and got electrocuted and subsequently the husband of the petitioner died. A criminal case was registered by Thalli Police Station in Crime No.152 of 2012.

3.The counter-affidavit filed by the respondent-Electricity Board reveals that the husband of the petitioner died due to electrocution as it was a rainy season, there was leakage of electricity in the Electric Post.

4. When the death of the husband of the petitioner due to electrocution is admitted by the Electricity Board Authorities, no further evidences or documents are required for the purpose of considering the case of the petitioner to grant compensation.

5. In view of the fact that the death of the husband of the petitioner occurred due to electrocution and the husband of the petitioner, who was the sole breadwinner of the family, died, the petitioner is entitled for compensation as per the Board Proceedings. Accordingly, the writ petitioner is entitled for compensation of Rs.5 lakhs.

6.In this view of the matter, the respondents are directed to pay Rs.5 lakhs along with interest at the rate of 7.5% per annum from the date of death of husband of the petitioner i.e., 02.09.2012 till the date of realisation. The abovesaid compensation of Rs.5 lakhs along with interest 7.5% per annum is directed to be settled, within a period of three months from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar(CS-VIII)

//True Copy//

Sub Assistant Registrar

Svn



To

1. The Chairman,
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KV(CO)
RGA(08/12/2021)