



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26-11-2021

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

WP No.13054 of 2014

And

MP No.1 of 2014

Kanniappan

..

Petitioner

vs.

1.The Chairman,
Tamil Nadu Electricity Board,
Anna Salai,
Chennai - 600 002.

2.The Superintending Engineer,
Tamil Nadu Electricity Board,
Vellore Distribution System,
Vellore District.

3.The Executive Engineer O & M,
Tamil Nadu Electricity Board,
Arakkonam Rural,
Thakkolam,
Vellore District.

4.The Junior Engineer O & M,
Tamil Nadu Electricity Board,
Kumpinipet,
Arakkonam Taluk,
Vellore 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 the petitioner a sum of Rs,10,00,000/- as compensation together with interest @ 24% per annum since the date of death of the petitioner's son Munuswamy, who was electrocuted on 13.06.2009 at Thandalam Village, Arakkonam Taluk, Vellore District.

For Petitioner : Mr.P.Krishnan

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



O R D E R

The relief sought for in the present writ petition is to direct the respondents to pay the petitioner a sum of Rs,10,00,000/- as compensation together with interest @ 24% per annum since the date of death of the petitioner's son Munuswamy, who was electrocuted on 13.06.2009 at Thandalam Village, Arakkonam Taluk, Vellore District.

2. The son of the petitioner Mr.Munuswamy, went out of the house on 13.06.2009 at about 03.00 P.M. An overhead electric line was cut of and lying on the ground near him. Due to which, the son of the petitioner was severely electrocuted and consequently died. A criminal case was registered in Crime No.207/09 dated 14.06.2009 by the Inspector of Police, Arakkonam Taluk Police Station.

3. The petitioner states that due to negligence on the part of the respondents, he lost his 9 years old son. The petitioner further states that the sudden and shocking death of his son has mentally and physically affected him.

4. The respondents admitted the incidence of electrocution took place near the Iyappan Thangal Canal side. When the death due to electrocution was verified and admitted by the Electricity Board, no further evidence is required for the purpose of considering the case of the petitioner for grant of compensation. However, the compensation as per the Board Proceedings is to be granted and any further compensation is to be claimed under various other legislations and it is for the petitioner to approach the Competent Forum in the manner known to law.

5. As far as the Electricity Board is concerned, this Court is inclined to grant compensation as per the Board Proceedings No.5 dated 29.04.2013. Accordingly, the respondents are directed to pay an ex-gratia amount of Rs.5 lakhs along with interest at the rate of 7.5% from the date of death of the son of the petitioner i.e., 13.06.2009 till the date of realisation, 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. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS-VIII)

//True copy//

Sub Assistant Registrar



Svn

To

WEB COPY

- 1.The Chairman,
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Kumpinipet,
Arakkonam Taluk,
Vellore District.

+1cc to Mr.P.Krishnan, Advocate SR.No.62287 (13/12/2021)

WP 13054 of 2014

AK II(CO)
GMV(08/12/2021)