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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.09.2021

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No. 3581 of 2014

Mrs.Chinnammal

...Petitioner

Vs

1.The Secretary,
State Government of Tamil Nadu,
(Energy Department)
Fort St. George,
Chennai.

2.The Chairman cum Managing Director,
TNEB, Tamil Nadu Generation & Distribution,
Corporation Limited, (TANGEDCO),
Chennai- 600 002.

...Respondents

PRAYER : Writ Petition filed Under Article 226 of the Constitution of India, to issue a writ of Mandamus, directing the respondents to pay adequate compensation to the petitioner for the loss of life of petitioner's husband Gangaiah.

For Petitioner : Mr.A.Prabhakaran

For Respondent : Mr.K.M.D.Muhilan
[For R1]
Mr. L.Jaivenkatesh
[For R2] [For TNEB]

O R D E R

The relief sought for in the present writ petition is to direct the respondents to pay adequate compensation to the petitioner for the loss of life petitioner's husband Mr.Gangaiah on account of electrocution.

2. The petitioner states that her husband Mr.Gangaiah, while travelling in his bicycle near Chetty Nadu Hotel, T.V.S., Plot-II, near Sipcot, was electrocuted through the live wire (TNEB- High Voltage Cable) hanging on the street and died instantly. The husband of the petitioner died, leaving behind the petitioner, one son and two daughters. The workers in the SIPCOT area have informed the incident to the petitioner and the



said workers informed to the officials regarding the hanging of live wire in the street. However, the Board authorities have not taken any prompt action immediately, which caused death of her husband of the petitioner.

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3. The counter filed by the second respondent reveals that the husband of the petitioner died on account of electrocution. However, the authorities have stated that the fault occurred during night hours and they have received the information belatedly. But, the fact remains that the husband of the petitioner died due to electrocution and the said factum was not denied by the respondents. This being the facts established and the death of the husband of the petitioner is not disputed, which was due to electrocution, the petitioner is entitled for compensation.

4. Regarding the quantum of compensation, the Writ Court can grant the fixed compensation under the provisions of the regulations. If at all, the petitioners are claiming higher compensation, then an adjudication is required.

5. In view of the fact that the petitioner also agreed to get the compensation statutorily fixed by the respondent Board and the learned counsel for the respondents also made a submission that the Board is ready to settle the compensation as per the TANGEDCO Proceedings No.6, Administrative Branch dated 16.10.2019, this Court is inclined to pass the following orders:

(1) The respondents are directed to settle the compensation amount of Rs.5,00,000/- (Rupees Five Lakhs only) along with the interest at the rate of 6 % per annum from the date of death till the date of payment to the petitioner.

(2) The respondents are further directed to settle the amount within a period of eight (8) weeks from the date of receipt of a copy of this order.

6. With these directions, the Writ petition stands allowed. No costs.

Sd/-

Assistant Registrar (CS-VIII)

// True Copy //

Sub Assistant Registrar

nti/kak

To

1.The Secretary,
State Government of Tamil Nadu,
(Energy Department)
Fort St. George, Chennai.



2.The Chairman cum Managing Director,
TNEB, Tamil Nadu Generation & Distribution,
Corporation Limited, (TANGEDCO),
Chennai- 600 002.

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+1cc to Mr.L.Jaivenkatesh, Advocate SR.No.50686

+1cc to Mr.A.Prabhakaran, Advocate SR.No.50577

+1cc to the Government Pleader SR.No.51273

W.P.No.3581 of 2014

CA(CO)
RVM(02/11/2021)