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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.12.2021

CORAM :

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.29619 of 2014

Sagaya Mary

...Petitioner

Vs.

1. The State of Tamil Nadu,
Represented by its Secretary to Government
Energy Department,
Fort St. George, Chennai-600 009
2. The Chairman Cum Managing Director,
Tamilnadu Generation and Distribution Corporation Ltd
No.144, Anna Salai, Chennai-600 002
3. The Chief Engineer
TANGEDCO
Chennai North Region TNEB, 5A-Block
Electricity Avenue
No.144, Anna Salai, Chennai-600 002
4. The Assistant Engineer
Chennai Electricity Distribution Circle
Central/TNEB/MGR Salai,
110/ 33/11KV/Valluvar Kottam, SS Complex,
Nungambakkam,
Chennai- 600 034

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents 2 to 4 to consider the representation of the petitioner nil dated and direct the respondents to pay the compensation as claimed in the representation.

For Petitioners : Mr.K.Varadha Kamaraj

For R1 : Mr.N.Senthil Selvi
Government Advocate

For R2 to R4 : Mr.L.Jai Venkatesh
[For TANGEDCO]



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O R D E R

The relief sought for in the present writ petition is to direct the respondents 2 to 4 to consider the representation submitted by the writ petitioner for payment of compensation.

2. The husband of the petitioner died due to electrocution on 29.09.2013 inside his house. The history of the case has been narrated by the Superintending Engineer in his counter affidavit which reads as follows:

"5. I respectfully submit, in the first instance, the history of the case for better appreciation by this Hon'ble Court.

(i) On 29.09.2013, an information came to the Fuse Off Call Centre at Nungambakkam Sub-station Complex that a person got electrical injuries at Gulam Mohamed Moideen Street.

(ii) Immediately, the Assistant Executive Engineer/Thousand Lights Section (Upgraded), who is the jurisdictional Engineer of area, rushed to the spot immediately and, as a immediate safety measure, inspected the pillar box of the Board feeding to that area and isolated the supply by removing the fuse wire, thereby supply got interrupted.

(iii) Further, the said AEE has also inspected the pillar box and the lines and ensures that the same are intact and that there is no damage to any electrical installations including cables and thereby ensured that the electrical installations were not the cause for the incident informed.

(iv) At that time, in view of the electrical accident happened inside a premises, there was large gathering of nearby public. Hence, along with the Inspector of Police who was present there, the said AEE inspected the Meter Chamber in which the cut-out, meter box, etc. are installed and ensured that there was no damage to the cut-out or meter and as such he has once again ensured that the incident was not due to the faulty lines of the TANGEDCO.

(v) The said inspection further revealed that the incident of electric shock occurred due to



in the event of any such dispute, it is for the petitioner to approach the competent Court of law for the purpose of adjudication of the issues on merits and in accordance with law.

4. With these observations, the Writ Petition stands disposed of. No costs.

Sd/-
Assistant Registrar(CS-IV)

//True Copy//

Sub Assistant Registrar

Jeni/Cse

To

1. The Secretary to Government
The State of Tamil Nadu,
Energy Department,
Fort St. George, Chennai-600 009.
2. The Chairman Cum Managing Director,
Tamilnadu Generation and Distribution Corporation Ltd
No.144, Anna Salai, Chennai-600 002.
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110/ 33/11KV/Valluvar Kottam, SS Complex,
Nungambakkam, Chennai- 600 034.

+1cc to Mr.K.Varadha Kamaraj, Advocate, S.R.No.66264

W.P.No.29619 of 2014

SVI (CO)
RGA (28/12/2021)