



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.12.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.25534 of 2021

Veronika

... Petitioner

Vs.

1.The Chairman, TNEB

Tamil Nadu Generation and Distribution Corporation Board,
TANGEDCO, Anna Salai,
Chennai 600 002.

2.The Assistant Executive Engineer,

AE/O&M/ICF, Tamil Nadu,
Electricity Board, TANGEDCO
Chennai 600 038.

3.The Assistant Engineer,

Tamil Nadu Electricity Board,
TANGEDCO Mettu Street,
Ayanavaram, Chennai 600 023.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to pay compensation of Rs.20,00,000/- towards compensation for the death of the petitioner's husband who met with an accident due to electric shock on 25.02.2021 at Ayanavaram, Chennai, due to the carelessness and negligence on the part of the respondents to the petitioner.

For Petitioner

: Mr.S.Saravanan

For Respondents

: Mr.Jaivenkatesh

Standing Counsel for TNEB

O R D E R

The petitioner has filed this writ petition seeking issuance of Writ of Mandamus directing the respondents to pay compensation of Rs.20,00,000/- towards compensation for the death of the petitioner's husband who met with an accident due



to electric shock on 25.02.2021 at Ayanavaram, Chennai, due to the carelessness and negligence on the part of the respondents to the petitioner.

2. In view of the limited relief sought for in this petition, On the consent expressed by the Learned counsel appearing for either side, this petition is taken up for final disposal.

3. The case of the petitioner is that her husband Late B.James Martin, worked as Tata Ace Driver for the past ten years and while he went to work to collect the 'M' sand from one Santhosh, a high voltage electricity wire fell on the vehicle and thereby he got electric shock and died on the way to the Hospital. It is the claim of the petitioner that the unfortunate incident had taken place only due to the lapse and carelessness on the part of the respondent Electricity Board, by not properly maintaining the high voltage electricity wires. Immediately after the occurrence, the petitioner had lodged a complaint to the Inspector of Police, Sembiam Police Station, Pulianthope.

4. Further it is alleged by the petitioner that she has two daughters and the entire family was solely dependent on the income derived by her husband. After the death of the husband, the petitioner without having any source of income, struggling to maintain herself and her two daughters. Hence, she made a representation dated 24.09.2021, claiming compensation of Rs.20,00,000/- for the death of her husband and till date there is no response from the respondents. Aggrieved by the same, the present petition is filed.

5. Though very many grounds have been raised, learned counsel for the petitioner submitted that this Court may issue direction to the respondents to pay the eligible compensation to the petitioner within a reasonable time as fixed by this Court and may be permitted to file appropriate petition before the District Legal Services Authority, if the compensation is not sufficient to the petitioner.

6. The learned Government Advocate has no objection for said order being passed. Further he made a submission that as per the regulations, the petitioner is entitled to receive a sum of Rs.5,00,000/- as compensation and the said amount will be paid to the petitioner with a period of twelve weeks.

7. In view of the aforesaid submissions, this Court without expressing any opinion on the merits of the case directs



the respondents to pay the compensation to the petitioner within a period of twelve weeks from the date of receipt of a copy of this order and if the petitioner is so aggrieved by the said compensation amount, he is at liberty to file appropriate claim petition before the District Legal Services Authority.

This writ petition is accordingly disposed of. No costs.

Sd/-

Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

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To

- 1.The Chairman, TNEB
Tamil Nadu Generation and Distribution Corporation Board,
TANGEDCO, Anna Salai,
Chennai 600 002.
- 2.The Assistant Executive Engineer,
AE/O&M/ICF, Tamil Nadu,
Electricity Board, TANGEDCO
Chennai 600 038.
- 3.The Assistant Engineer,
Tamil Nadu Electricity Board,
TANGEDCO Mettu Street,
Ayanavaram, Chennai 600 023.

+1cc to Mr.S.Saravanan, Advocate SR.No.63917

+1cc to Mr.L.Jaivenkatesh, Advocate SR.No.63878

W.P.No.25534 of 2021

SMI(CO)
GN(21/01/2022)