



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.03.2021

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P (MD)No.7879 of 2017

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1. Perumal
2. Krishnammal
3. Thangamari
4. Minor Poomari
5. Minor Sivaperumal,

Petitioner Nos.4 and 5 are represented by
their mother and natural guardian petitioner
No.3, Thangamari

... Petitioners

Vs

1. The Director,
Animal Husbandary and Veterinary Services,
DMS Compound,
Chennai - 6.
2. The Joint Director of Animal Husbandry,
Virudhunagar.
3. The District Collector,
Virudhunagar District,
Virudhunagar.
4. The Assistant Director,
Government Goat Farm,
Sattur,
Virudhunagar District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, for issuance of a writ of mandamus, directing the respondents to pay Rs.25,00,000/- as compensation on account of the death of the petitioner's husband, caused due to the negligence / electrocution on the part of the respondents, while working in the 4th respondent's office together with interest at 18% per annum from the date of death till date of payment.



For Petitioner : Mr.S.Venkatesh for
Mr.S.Sivaji

Respondents : Mr.D.Muruganantham,
Additional Government Pleader

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ORDER

This writ petition has been filed seeking a direction to the respondents to pay Rs.25,00,000/- as compensation on account of the death of the petitioner's husband, caused due to the negligence / electrocution on the part of the respondents, while working in the 4th respondent's office together with interest at 18% per annum from the date of death till date of payment.

2.The case of the petitioner is that her husband P.Marimuthu was working in the 4th respondent office on consolidated pay on daily wage basis from March, 2013. On 05.11.2016, while her husband was engaged in the work of cutting grass by using grass cutter, he suddenly shouted and fell down out of electrocution and he was found unconscious. Immediately he was rushed to a private hospital at Sattur and where he was declared brought dead. Postmortem was conducted and the postmortem revealed that the petitioner's husband died of electrocution and the Revenue Inspector and Sub Inspector of Police, Ammapatti Police Station have also given their reports that the petitioner's husband died of electrocution to their higher officials.

3.At this juncture, the petitioner has made representations dated 26.11.2016, 30.01.2017 and 10.03.2017 to the respondents seeking compensation for the death of her husband and the representations were forwarded by the 4th respondent to the 2nd respondent with his recommendation on 30.11.2016. Despite the recommendation of the 4th respondent, no compensation has been paid to the petitioner and therefore the petitioner has come up with the above prayer.

4.The learned Counsel appearing for the petitioner would submit that it would suffice, if the respondent Nos.1 to 3 are directed to to pass orders based on the recommendation of the 4th respondent made on 30.11.2016 favourably within a time specified this Court.

5.Heard the learned Counsel on either side and perused the materials placed on record.

6.It is seen from records that the petitioner's husband was working in the 4th respondent Goat Farm and while he was in duty and cutting grass by using grass cutter machine, got electrocuted and died. Subsequently, the petitioner has also made



representations to the respondents seeking compensation and the 4th respondent has also made his recommendation to the 2nd respondent.

7.The Regional Joint Director of Animal Husbandry has filed a counter affidavit by conveniently suppressing the recommendation made by the 4th respondent on 30.11.2006.

8.I am of the opinion that in view of the recommendation made by the 4th respondent, the respondent Nos.1 to 3 have to pass orders. Therefore, the respondent Nos.1 to 3 are directed to pass appropriate orders based on the recommendation of the 4th respondent made on 30.11.2006 within a period of twelve weeks from the date of receipt of a copy of this order.

9.In the result, this writ petition is disposed of with the above directions. No costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

dsk

To

1. The Director,
Animal Husbandry and Veterinary Services,
DMS Compound,
Chennai - 6.
2. The Joint Director of Animal Husbandry,
Virudhunagar.
3. The District Collector,
Virudhunagar District,
Virudhunagar.
4. The Assistant Director,
Government Goat Farm,
Sattur,
Virudhunagar District.



+1 CC to SPL GP (SR-10897[F] dated 12/03/2021)

+1 CC to MR.A.SIVAJI, Advocate (SR-11090[F] dated 15/03/2021)

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