



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.06.2022

CORAM:

THE HON'BLE MR.JUSTICE ABDUL QUDDHOSE

W.P.NO.3706 OF 2022

Dhanam

... Petitioner

Versus

1. The Chairman,
TANGEDCO,
No.144, Annasalai,
Chennai.
2. The Superintending Engineer,
TANGEDCO,
Villupuram.
3. The Assistant Executive Engineer,
TANGEDCO,
Valavanur,
Villupuram Taluk

... Respondents

Petition filed under Article 226 of the Constitution of India praying to issue Writ of Mandamus directing the respondents to pay compensation to the extent of R.15 lakhs to the petitioner for the death of the son of the petitioner consequent to electrocution within a time fixed by this Court.

For Petitioner : Mr.N.Suresh

For Respondents : Mr.L.Jaivenkatesh
Standing Counsel

ORDER

This writ petition has been filed for a mandamus seeking for a direction to the respondents to pay compensation to the petitioner to the extent of Rs.15,00,000/- for the death of petitioner's son Prabu on 07.05.2010 on account of electrocution.



2. The petitioner's son Prabu, aged 18 years was an agricultural labourer. On 07.05.2010 while he was working in the lands of one Dhandapani Chettiar at about 11.30 a.m, he came in contact with a snapped electric line in the field. As a result of the same, he was electrocuted and he succumbed to massive electric shock on the spot.

3. First Information Report was registered in Cr.No.230 of 2010 by the Valavanur Police Station. The petitioner claims that only due to the gross negligence of the respondents and their staff, her son Prabu got electrocuted with the live electric wire and died on the spot. The petitioner has sought for a compensation of Rs.15,00,000/- in this writ petition.

4. The respondents in the counter have admitted that the petitioner's son Prabu died only due to electrocution, but, they deny the negligence on their part and have stated that only to due to heavy winds on that particular date, the electric wires got snapped which resulted in the electrocution. The respondents have not admitted the age, income and occupation of the deceased. They have stated that the claim for compensation of a sum of Rs.15,00,000/-(Rupees fifteen lakhs only) made by the petitioner in this writ petition is excessive. They have also stated that the petitioner will have to approach the civil court to establish her right.

5. Heard Mr.N.Suresh, learned counsel for the petitioner and Mr.L.Jai Venkatesh, learned Standing Counsel for the respondents TANGEDCO.

6. The learned Standing Counsel for TANGEDCO has placed before this Court the proceedings of the TANGEDCO dated 16.10.2013, under which, the details of compensation amount payable under various categories on account of electrocution is disclosed. For a fatality claim arising out of electrocution under the aforementioned proceedings, TANGEDCO has agreed to pay a sum of Rs.2,00,000/-(Rupees two lakhs only), since the electrocution death happened in 2010, Rs.2,00,000/-(Rupees two lakhs only) is the amount payable.

7. Learned counsel for the petitioner, on instructions, would now submit that the petitioner is willing to receive the compensation amount of Rs.2,00,000/- towards part satisfaction and in respect of the balance amount, he will redress his grievance by filing a civil suit as it is a disputed amount.

8. Learned Standing Counsel appearing for the respondents has also not raised any serious objection for the submission made by the learned counsel for the petitioner.



9. After recording the submissions of the respective counsels, this Court directs the first respondent to pay a sum of Rs.2,00,000/- (Rupees Two Lakhs only) to the parents of the deceased viz., Tmt.Dhanam and Ganesan towards the compensation amount payable on account of electrocution of their son Prabu within a period of three months from the date of receipt of a copy of this order. Insofar as the balance amount that is claimed by the petitioner in this writ petition is concerned, she is granted liberty to file a civil suit for recovery of the said amount.

10. With the above said direction, the writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

sr

To

1. The Chairman,
TANGEDCO,
No.144, Annasalai,
Chennai.
2. The Superintending Engineer,
TANGEDCO,
Villupuram.
3. The Assistant Executive Engineer,
TANGEDCO,
Valavanur,
Villupuram Taluk.

+1cc to Mr.L.Jaivenkatesh, Advocate, S.R.No.34547

+1cc to Mr.N.Suresh, Advocate, S.R.No.34063

W.P.No.3706 of 2022

GPL (CO)
RLP (21/06/2022)