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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.06.2022

CORAM:

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P.No.8815 of 2022

Kamalakkanni

...Petitioner

vs.

1. The Government of Union Territory of Pondicherry
Rep. By its Chief Secretary,
Puducherry - 1.

2. The Government of Union Territory of Pondicherry,
Rep. By its Secretary to Govt.
Electricity Department,
Puducherry - 1.

3. The Superintending Engineer - I,
Electricity Department,
Puducherry - 1.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to pay a sum of Rs.10,78,000/- by way of compensation to the petitioner for the death of petitioner's son Saravanan on account of electrocution.

For petitioner : L.Ramanathan
for Mr.D. Venkatachalam

For respondents : Mr.C.T. Ramesh
Addl. Govt. Pleader



ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the respondents to pay a compensation of Rs.10,78,000/- on account of the death of the petitioner's son Saravanan due to electrocution.

2. The petitioner claims that her son Saravanan died due to electrocution on 02.04.2017 at about 12.30 P.M. According to the petitioner, the live electric wire got snapped and her son fell in the water. The petitioner's son and his friends went to the pump set of one Venkatesan situated in Suthukeni to take bath, when Saravanan died due to electrocution. The petitioner seeks for a compensation for the death of her son on account of electrocution. The petitioner has filed documents along with this writ petition to substantiate her claim. Since the legal notice issued by the petitioner through her lawyer on 29.01.2020 has not been considered till date, the petitioner has filed this writ petition.

3. Heard Mr.D. Venkatachalam, learned counsel for the petitioner and Mr.C.T. Ramesh, learned Additional Government Pleader for respondents.

4. At the outset, the learned Additional Government Pleader appearing for the respondents would submit that the petitioner has not given any representation by herself but has given a representation only through her lawyer.

5. The learned counsel for the petitioner would submit that the petitioner is willing to submit a fresh representation provided the respondents consider the same within a time frame to be fixed by this Court.

6. No prejudice would be caused to the respondents if the petitioner is allowed to submit a fresh representation seeking compensation for the death of her son, who according to the petitioner died on account of electrocution.

7. For the foregoing reasons this Court directs the petitioner to submit a fresh representation to the 3rd respondent seeking for compensation for the death of her son Saravanan on account of electrocution, within a period of one week from the date of receipt of a copy of this order. On receipt of the said representation, the 3rd respondent shall pass final orders on merits and in accordance with law after affording a fair hearing to the petitioner including granting her the right of personal



hearing within a period of eight weeks thereafter.

8. With the aforesaid directions, this writ petition is disposed of. No costs.

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Sd/-

Assistant Registrar(CS-IV)

// True Copy //

Sub Assistant Registrar

vsi2

To

- 1.The Chief Secretary,
Government of Union Territory of Pondicherry
Puducherry - 1.
- 2.The Secretary to Govt.
Government of Union Territory of Pondicherry,
Electricity Department,
Puducherry - 1.
- 3.The Superintending Engineer - I,
Electricity Department,
Puducherry - 1.

+1cc to Mr.D.Venkatachalam, Advocate SR.No.37848
+1cc to the Government Pleader SR.No.37887

W.P.No.8815 of 2022

NK(CO)
CB(08/07/2022)