



C.M.P.No.16706 of 2022 in W.A.No.SR 99970 of 2022

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WEB C THE HON'BLE ACTING CHIEF JUSTICE

and

D.KRISHNAKUMAR, J.

(Order of the Court was made by The Hon'ble Acting Chief Justice)

We have heard the learned counsel appearing for the petitioners.

2. It is the claim of the petitioners that when Mr.Kuthpudhin, being the breadwinner of the family, died on 10.07.2018 due to electrocution on account of the negligence and callous approach adopted by the respondent-Electricity Department in not safeguarding the high voltage live wire, on the basis of the post-mortem report certifying that the cause of death was only due to electrocution, the writ petition was filed. The learned single Judge, instead of awarding a just and reasonable compensation, has awarded only a sum of Rs.5,00,000/-. Therefore, the appeal has been filed with a delay of 162 days. When the breadwinner of the family passed away, the petitioners were unable to mobilize funds and also to meet a good lawyer. In such circumstances, the delay had occurred, which is neither wilful nor wanton, but only due to the bona fide reasons. Hence, the delay may be condoned.



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3. Although the respondents have been served, none has entered appearance.

4. We also find that the delay has occurred only due to the bona fide reasons as mentioned above. Therefore, the delay is condoned and the civil miscellaneous petition is ordered accordingly.

(T.R.,A.C.J.) (D.K.K.,J.)

14.10.2022

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