

**W.P. Nos.30500 & 30526 of 2019****Dr. ANITA SUMANTH, J.**

The matter is listed today for filing status report.

2. The petitioner seeks a mandamus directing the officials of the Tamil Nadu electricity Board to pay compensation to the petitioners for untimely demise of the petitioners husband on 17.10.2017. The aforesaid victim had fatal contact with a live fence that had been laid out by R4 around his land without prior permission. The Inspector of Police, Thiruthani Police Station has registered a case in Crime No.705 of 2017 as against R4.

3. Since the post mortem certifies that the death of the petitioners' husband was on account of electrocution, the petitioner seeks compensation and has also made a representation in this regard before the Authorities.

4. The official respondents were directed to file a status report in regard to whether any enquiry had been caused in relation to the said incident and a status report is filed to following effect:

It is humbly submitted that the electrocution had occurred on 17.10.2017, 9 pm due to the illegal electric fencing constructed by the 4th respondent.

2. It is humbly submitted that as soon as an information was received by the Assistant Engineer, Thiruthani on 18.10.2017 by 8.00am, a field inspection was conducted by him to the accident site and it was found that the electricity for the illegal fencing was energized from the agricultural service connection no.343-004-377, 5 HP standing in the name of one Mrs.Subbu Lakshmi and the same service connection was enjoyed by the 4th respondent. The illegal fencing was laid by the 4th respondent in order to protect his sugarcane field from pigs which has resulted in electrocution of the petitioner's husband. It is submitted that thereafter the 4th respondent



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had surrendered before the Thiruthani Police Station.

3. It is humbly submitted that a written complaint was sent by the Assistant Engineer on 18.10.2017 to the Sub Inspector of Police, Thiruthani stating the above facts and considering that the above act amounts to an offence under Section 138 of the Electricity Act, 2003; it was requested to take appropriate action against the erring 4th respondent.

4. It is humbly submitted that thereafter on 17.02.2022, a letter was sent to the concerned officer requesting for the present status as to the action taken on the 4th respondent.

5. Learned counsel for the petitioner would also confirm that the police enquiry is ongoing. As regard the stand of the official respondents, it is clear that they disavow all responsibility in regard to the incident in question. Thus, nothing useful would be served in directing them to dispose the representation of the petitioners.

6. A direction is issued to the Police authorities, who are not arrayed before me and which direction shall be conveyed to them by the learned counsel for the respondents, to expedite the enquiry and conclude the proceedings as expeditious as possible. If, in the course of such enquiry, it transpires that any negligence is attributable to the officials of the TNEB, then the petitioner is at liberty to make a fresh representation before the officials seeking compensation.

21.02.2022

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