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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.02.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.NO.33445 OF 2019

AND

W.M.P.NO.20637 OF 2020

G.Senthil

... Petitioner

.Vs.

1. The State of Tamil Nadu,
Represented by its Home Secretary,
Fort St. George,
Chennai - 600 009.
2. The State of Tamil Nadu,
Through its The Chief Electrical Inspector,
Department of Electrical Inspectorate,
Thiru-Vi-Ka Industrial Estate,
Guindy, Chennai - 600 032.
3. The Chairman and Managing Director,
The Tamil Nadu Generation and Distribution
Corporation Limited, (TANGEDCO),
144, Anna Salai,
Chennai - 600 002.
4. The Commissioner,
Greater Chennai Corporation,
Ripon Building,
Chennai - 600 003.
5. The Deputy Electrical Engineer,
156th Circle, 12th Zone,
TANGEDCO,
No.2, New Street,
Alandur, Chennai.
6. The Assistant Engineer,
XII Zone,
No.1, New Street,
Alandur, Chennai.



7. The Inspector of Police,
Mangadu Police Station,
Thiruvallur District.

... Respondents

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PRAYER:-

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents 1 to 6 to pay a sum of Rs.50,00,000/- (Rupees Fifty Lakhs Only) to the petitioner's family towards compensation for the death of the petitioner's son Deena, who died due to electrocution on account of the negligence of the respondents 1 to 6.

For Petitioner : Mr.S.Seenuvasan

For Respondent R1 : Mrs.C.Sangamithirai
Special Government Pleader

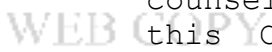
For Respondents : Mr.L.Jai Venkatesh
R2, 3, 5 & 6 Standing Counsel

For Respondent R4 : Mrs.Karthika Ashok

O R D E R

The petitioner has filed this writ petition seeking issuance of a Writ of Mandamus to direct the respondents 1 to 6 to pay a sum of Rs.50,00,000/- (Rupees Fifty Lakhs Only) to the petitioner's family towards compensation for the death of the petitioner's son Deena, who died due to electrocution due to the negligence of the respondents 1 to 6.

2. The case of the petitioner is that, on 15.09.2019, when he returned to his home from work and enquired his wife about his elder son viz., Deena she stated that he has gone out with his friends. However, after a short while, some of his son's friend came and informed that, the said Deena had been electrocuted when he came in contact with water stagnated on the road near Dhanam Nagar Old Post Office. Thereafter, the 7th respondent rescued the petitioner's son and sent him to KMC Government Hospital for post-mortem and the death certificate issued for the petitioner's son stated that the reason for death as Electrocution. While so, the petitioner made a complaint dated 16.09.2019 before the 7th respondent and the same was registered in Crime No.1166 of 2019 against the 5th and 6th respondents. Thereby, the petitioner made a representation dated 20.09.2019 before the respondents 1 to 6 seeking for payment of compensation for his son's death, however, till date no order



3. Though very many grounds have been raised, learned counsel for the petitioner submitted that, it would suffice, if this Court issues direction to the respondents 1 to 6 to consider the petitioner's representation dated 20.09.2019 and pay a sum of Rs.50,00,000/- to the petitioner's family towards compensation for the death of his elder son, said Deena who died due to electrocution on account of the negligence of the respondents 1 to 6.

5. The learned counsel appearing on behalf of the Corporation submitted that, since the road where the accident occurred is in a newly merged area, the Roads had been handed over to the Metro Water Board vide proceedings dated 08.10.2015 for providing basic amenities of Sewerage and water connection. However, he fairly conceded that, the admissible amount will be paid in favour of the petitioner.

7. Considering the facts and circumstances of the case, admittedly, the petitioner is entitled to receive a sum of Rs.5,00,000/-, since the allegation is against the Corporation as they have not properly maintained the cables and road laid down, this Court issues direction to the Corporation to pay a sum of Rs.5,00,000/- to the petitioner within a period of four weeks from the date of receipt of a copy of this order. If the petitioner is not satisfied with the amount, it is open to the petitioner to file appropriate petition before the District Legal Service Authority under Victim Compensation Scheme and on



receipt of such petition, the District Legal Service Authority is directed to adjudicate the same and pass appropriate orders as early as possible.

8. This Writ petition is disposed of with the above directions. No costs. Consequently, connected Miscellaneous petition is closed.

Sd/-
Assistant Registrar (CS II)

//True Copy//

Sub Assistant Registrar

skt

To

1. The State of Tamil Nadu,
Represented by its Home Secretary,
Fort St. George,
Chennai - 600 009.
2. The State of Tamil Nadu,
Through its The Chief Electrical Inspector,
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7. The Inspector of Police,
Mangadu Police Station,
Thiruvallur District.

Copy To:-

The District Legal Service Authority,
Chennai.

+1cc to Mr.S.Seenuvasan, Advocate, S.R.No.6542
+1cc to Mr.L.Jai Venkatesh, Advocate, S.R.No.6229
+1cc to Mrs.Karthika Ashok, Advocate, S.R.No.6084

W.P.NO.33445 OF 2019 AND
W.M.P.NO.20637 OF 2020

GPL (CO)
PBS/16/03/2022