



W.P(MD)No.19803 of 2013

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **30.08.2022**

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THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.19803 of 2013

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... Petitioner

Vs.

- 1.The Chairman,
Tamil Nadu Electricity Board,
Chennai.
- 2.The Superintending Engineer,
Virudhunagar District.
- 3.The Executive Engineer,
Tamil Nadu Electricity Board,
Rajapalayam Division,
Virudhunagar District.
- 4.The District Collector,
Virudhunagar District.
- 5.The Special Tahsildar,
District Social Security Welfare Scheme,
Rajapalayam,
Virudhunagar District.
- 6.The District Social Welfare Officer,
Office of the District Collector,
Virudhunagar District.

... Respondents



W.P(MD)No.19803 of 2013

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 1 to 3 to pay compensation to the petitioner and direct the respondents 4 to 6 to pay relief amount to the petitioner under appropriate scheme within the time stipulated by this Court.

For Petitioner : Mr.R.Alagumani

For R1 - R3 : Mr.S.Dheenadhayalan
Standing Counsel

For R4 - R6 : Mr.D.Sasikumar

ORDER

The present writ petition has been filed seeking compensation for the death of the petitioner's husband due to electrocution.

2. According to the petitioner, her husband is a farmer. While he was attempting to remove the coconut leaves which has fallen upon the electrical wire, he got electrocuted and he died. Hence, the petitioner has prayed for a compensation to be paid for electrocution. It is also the case of the petitioner that her husband is a member of the Tamil Nadu Agricultural Labors Social Welfare and Protection Scheme and an Identity Card has also been placed on record in the typed set of papers.



W.P(MD)No.19803 of 2013

3. The learned Standing Counsel appearing for the respondents 1 to 3 had contended that the said accident had happened only due to the negligence of the petitioner's husband. There is no allegation of snapping of electrical wire or electrocution was caused due to the negligence on the part of the electricity board. In such an event, the board cannot be made liable to pay compensation.

4. A perusal of the typedset of papers indicates that the petitioner's husband is a member of Tamil Nadu Agricultural Labors Social Welfare and Protection Scheme, 2006. An Identity Card has also been issued by the Government with regard to the said aspect. If a member of the said scheme had died, he is eligible to receive compensation under the said scheme. The petitioner has given representation to the respondents 4 to 6 herein on 24.09.2013 seeking relief under the said scheme.

5. In view of the above said facts that the electricity board is not responsible for the said electrocution. However, the petitioner is entitled to get relief under the Tamil Nadu Agricultural Labors Social Welfare and Protection Scheme. The fourth respondent is directed to consider the representation of the petitioner for grant of compensation under the



W.P(MD)No.19803 of 2013

above said scheme. The fourth respondent shall pass orders within a period of twelve (12) weeks from the date of receipt of a copy of this order.

6. With the above said observations, this Writ Petition is partly allowed. No costs.

30.08.2022

Index : Yes / No
Internet : Yes / No

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To

- 1.The District Collector,
Virudhunagar District.
- 2.The Special Tahsildar,
District Social Security Welfare Scheme,
Rajapalayam,
Virudhunagar District.
- 3.The District Social Welfare Officer,
Office of the District Collector,
Virudhunagar District.



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W.P(MD)No.19803 of 2013

R.VIJAYAKUMAR ,J.

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Order made in
W.P(MD)No.19803 of 2013

Dated:
30.08.2022