



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.06.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.7776 of 2017

WEB COPY

Srinivasan

... Petitioner

Vs.

1.The Superintending Engineer,
Tamil Nadu Electricity Generation and Distribution
Corporation Ltd., (TANGEDCO),
Virudhunagar.

2.The Executive Engineer,
Tamil Nadu Electricity Generation and
Distribution Corporation Ltd., (TANGEDCO),
Aruppukottai.

3.The Assistant Executive Engineer,
Tamil Nadu Electricity Generation and Distribution
Corporation Ltd., (TANGEDCO)
Aruppukottai.

4.The Assistant Engineer,
Tamil Nadu Electricity Generation and Distribution
Corporation Ltd., (TANGEDCO)
Palayampatti,
Virudhunagar.

... Respondents

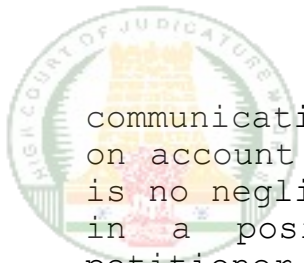
Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order செ.பொ/பகிர் /அரு/தொ.நு.உ.3/கோ.தபால் /அ.எண்.033/17, dated 01.02.2017 and quash the same, consequently, direct the respondents to pay necessary compensation to the petitioner on the death of the petitioner's wife namely Gangammal due to electric shock on 05.11.2015.

For Petitioner : Mr.V.Sasikumar
For Respondents : Mr.S.Deenadhayalan
Standing Counsel

O R D E R

Heard the learned counsel on either side.

2. The petitioner's wife died due to electrocution on 05.11.2015. The petitioner seeks compensation. But in the impugned
<https://hcservices.ecourts.gov.in/hcservices/>



communication, it has been made clear that the occurrence took place on account of the conduct of the petitioner's family and that there is no negligence on the part of the officials of TANGEDCO. I am not in a position to adjudicate this factual controversy. The petitioner has to necessarily lead evidence before the jurisdictional civil Court. The occurrence took place on 05.11.2015. The Writ Petition was filed in April 2017. If the petitioner files civil suit, the period taken in pursuing the writ remedy will be excluding while computing the limitation. If the petitioner files a civil suit within a period of two months from the date of receipt of a copy of this order, limitation will not be a bar for the petitioner to pursue his remedy.

3. With this liberty to the petitioner, the Writ Petition stand dismissed. No costs. It is made clear that I have not gone into the merits of the matter. All the respective contentions of the parties are left open.

Sd/-

Assistant Registrar(T & P)

// True Copy //

/07/2022

Sub Assistant Registrar(CS)

Rmi

+1 CC to M/s.S. DEENADHAYALAN, Advocate (SR-26711[F] dated 20/06/2022)

+1 CC to M/s.V. SASI KUMAR, Advocate (SR-27209[F] dated 21/06/2022)

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TR(04.07.2022) 2P 3C