



W.P.No.7910 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 15.03.2023

CORAM

THE HONOURABLE MR.JUSTICE **M.DHANDAPANI**

W.P.No.7910 of 2023

1. R.Valarmathi
2. R.Selvakumar

...Petitioners

..Vs..

1. Tamil Nadu Generation and Distribution
Corporation Ltd.,
Rep. by its Chairman,
No.144, Anna Salai,
Chennai – 600 002.

2. The District Collector,
Cuddalore,
Cuddalore District.

3. The Executive Engineer (O&M),
Tamil Nadu Generation and Distribution
Corporation Ltd. (TANGEDCO),
Thittagudi & Taluk,
Cuddalore District.

4. The Assistant Engineer (O&M),
Tamil Nadu Generation and Distribution
Corporation Ltd. (TANGEDCO),
Veppur Taluk, Veppur,
Cuddalore District.

...Respondents

PRAYER: Petition filed Under Article 226 of the Constitution of India
praying for the issuance of Writ of Mandamus directing the respondents



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to pay compensation to a tune of Rs.50 lakhs to the petitioner who are the legal heirs of Ramasamy for the electrocution death of Ramasamy on 14.11.2022 at Periyanesalur Village, Veppur Taluk, Cuddalore District by considering the representation dated 06.01.2023.

For Petitioner : Ms.T.Gandhi

For Respondents : Mr.L.Jai Venkatesh
for R1, R3 and R4

Mr.E.Veda Bagath Singh
Special Government Pleader for R2

ORDER

This Writ Petition has been filed seeking for a Writ of Mandamus, to direct the respondents to pay compensation to the tune of Rs.50 lakhs to the petitioner who are the legal heirs of Ramasamy for the electrocution death of Ramasamy on 14.11.2022 at Periyanesalur Village, Veppur Taluk, Cuddalore District by considering the representation dated 06.01.2023.

2. It is the case of the petitioners that they are the legal heirs of one Ramasamy and the said Ramasamy was cultivating an agricultural land in the above said Village and he is the only bread winner of his family. The petitioners along with other landowners and said Ramasamy were using a cart track as a common pathway to reach their land. Above the said cart



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track, high voltage wires belonging to the respondent corporation were running and they were hanging very low causing threat to the commuters.

Due to heavy rain, the high voltage wires were dropped and said Ramasamy while he was going to his land contacted the low hanging high voltage wires and died at the spot. While so, the petitioners made a representation to the Chief Minister's Cell and Superintendent of Police and another representation dated 06.01.2023 before the respondents, claiming damages to the tune of Rs.50 Lakhs. Since the same was not considered, the present writ petition has been filed seeking the aforesaid relief.

3. Learned counsel appearing for the petitioners submitted that though the petitioners have given several complaints before the respondent Board, no action was taken to remove the high voltage overhead line. Further, as an instrumentality of the State, the respondents are liable to pay the compensation for the death of the deceased Ramasamy. Hence, it would suffice if this Court issues a direction to the respondents to consider the petitioner's representation dated 06.01.2023 and pass appropriate orders within the time frame that may be stipulated by this Court.



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4. Learned Standing counsel appearing for the respondents submitted that the respondents' Corporation agreed to pay no fault liability to the petitioners for the death of the said Ramasamy within the period that may be fixed by this Court.

5. In view of the fair stand taken by the learned standing counsel appearing for the respondents, this Court directs the respondents to pay a sum of Rs.5,00,000/- (Rupees Five Lakhs Only) as compensation to the petitioners within a period of six weeks from the date of receipt of a copy of this order. Further, the petitioners are at liberty to work out their remedy to obtain the remaining amount in the manner known to law.

6. With the above directions, this Writ Petition is disposed of. No costs.

15.03.2023
(1/2)

Index : Yes / No
Internet : Yes / No
Speaking/Non-speaking order : Yes / No
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1. Chairman
Tamil Nadu Generation and Distribution
Corporation Ltd.,
No.144, Anna Salai,
Chennai – 600 002.
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Cuddalore,
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M.DHANDAPANI, J.

RAP

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