



WEB COPY



Writ Petition No.16990 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 9/3/2023

C O R A M

THE HONOURABLE Mr.JUSTICE **M.DHANDAPANI**

Writ Petition No.16990 of 2018

a n d

W.M.P.No.20239 of 2018

S.Ganesan

...

Petitioner

Vs

1. The Chairman

Tamil Nadu Electricity Board
Chennai 600 002.

2. The Commissioner of Corporation

Greater Chennai Corporation
Rippon Buildings
Chennai 600 003.

...

Respondents

(R.2 impleaded as per order, dated
11/3/2020 made in W.M.P.No.2384 of 2020
in W.P.No.16990 of 2018, by KRCBJ)

PRAYER : Petition filed under Article 226 of the Constitution of India
praying for the issuance of a writ of mandamus to direct the respondent to
pay the petitioner, the compensation for the physical disability and the
mental trauma suffered by the petitioner, due to the accident occurred on
10/3/2015 at Rs.1,00,00,000/- (Rupees One Crore only).



Writ Petition No.16990 of 2018

For Petitioner ... Mr.P.Raja
For respondents ... Mr.L.Jai Venkatesh
for R.1.

Ms.K.Aswini Devi
Standing Counsel
for R.2.

ORDER

This writ petition has been filed to direct the respondent to pay the petitioner, the compensation for the physical disability and the mental trauma suffered by the petitioner, due to the accident occurred on 10/3/2015 at Rs.1,00,00,000/- (Rupees One Crore only).

2. The case of the petitioner is that when the petitioner was working as Maintenance and Delivery-in-charge, in a shop, on 10/3/2015, around 01.00 p.m., an electric post fell on his head and caused grave injuries. After taking several treatment in various hospitals, his disability was assessed at 98%. Hence the petitioner has sent a representation, dated 22/1/2015, to the first respondent for compensation. Since the first respondent has not taken any action, petitioner has come forward with the present writ petition.



3. Heard Mr.P.Raja, learned counsel for the petitioner, Mr.L.Jai Venkatesh, learned counsel for the first respondent and Ms.Aswini Devi, learned Standing Counsel for the second respondent.

4. The learned counsel appearing for the petitioner submitted that the parent of the petitioner has spent Rs.15 lakhs for surgery. On the date of accident, a case was registered, on the file of R.1 Mambalam Police Station, in Crime No.1280 of 2015, under Section 338 of the Indian Penal Code and the same is still pending.

5. Learned counsel further submitted that during the pendency of the writ petition, on the influence of some body, he has approached the State Human Rights Commission. State Human Rights Commission has granted Rs.10 lakhs in favour of the petitioner and the same was received by the petitioner, on 14/10/2022.

6. I have perused the materials available on record.

7. It is not disputed that electric post was fell on the petitioner and caused grievous injuries in the cervical region. During the pendency of the



Writ Petition No.16990 of 2018

writ petition, the petitioner has approached State Human Rights Commission for compensation, for which the State Human Rights Commission had paid a compensation for a sum of Rs.10 lakhs. If at all the petitioner has any grievance, he has to plea before the Metropolitan Magistrate Court, Saidapet, where Criminal case is pending.

8. In the result, this writ petition is dismissed. However, liberty is granted to the petitioner to work out his remedy before the appropriate forum. No costs. Consequently, the connected Miscellaneous Petition is closed.

9/3/2023

Index : Yes / No
Internet: Yes
Speaking/non speaking order
Neutral Citation: Yes/No

mvs.



Writ Petition No.16990 of 2018

To
WEB COPY

1. The Chairman
Tamil Nadu Electricity Board
Chennai 600 002.
2. The Commissioner of Corporation
Greater Chennai Corporation
Rippon Buildings
Chennai 600 003.



WEB COPY



Writ Petition No.16990 of 2018

M.DHANDAPANI,J

mvs.

W.P.No.16990 of 2018

9/3/2023