



W.A.(MD) No.37 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **23.11.2023**

CORAM

THE HONOURABLE **MR.JUSTICE S.M.SUBRAMANIAM**
AND
THE HONOURABLE **MR.JUSTICE V.LAKSHMINARAYANAN**

W.A.(MD) No.37 of 2023

1.C.Prabhanithi
2.C.Sivaganam

... Appellants/Writ Petitioners

-Vs.-

- 1.The District Collector,
Madurai,
Madurai District – 20.
- 2.The President,
Tamilnadu Electricity Board,
No.144, Anna Salai,
Chennai.
- 3.The Superintending Engineer,
Tamilnadu Electricity Production and Distribution,
K.Pudur,
Madurai District.
- 4.The Assistant Engineer,
Tamilnadu Electricity Board,
Keelaiyoor,
Melur,
Madurai District.
- 5.The Foreman,
Tamilnadu Electricity Board,
Keelaiyoor Sub Station,



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Melur Taluk,
Madurai District.

... Respondents/Respondents

PRAYER:- Writ Appeal filed under Clause 15 of Letters Patent Act, to set aside the order dated 30.11.2022 made in W.P.(MD)No.21254 of 2021 on the file of this Court.

For Appellant : Mr.J.Gunaseelan Muthiah

For Respondents : Mr.S.Kameswaran
Government Advocate for R1

Mr.S.Deenadhayalan,
Standing Counsel
For R2 to R5

J U D G M E N T

(Judgment of the Court was delivered by **S.M.SUBRAMANIAM, J.**)

The Writ Appeal has been instituted against the order dated 30.11.2022 passed in W.P.(MD) No.21254 of 2021.

2. The writ petitioners are appellants before us and the Writ was instituted to direct the respondents to pay a compensation of Rs.30,00,000/- to each of the petitioner based on their representations dated 24.08.2021 and 30.08.2021.

3. Admittedly, the appellants got injured on account of electrocution. Even the Superintending Engineer, Tamil Nadu Electricity



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Production and Distribution, Madurai, in his counter affidavit filed before the Writ Court categorically admitted that the petitioners sustained electrocution. Once the electrocution is admitted by the Tamil Nadu Electricity Board, as per the Board Proceedings, for injury a compensation of Rs.2,00,000/- is to be settled, irrespective of the fact whether the electrocution occurred on account of the mistake of the victim or otherwise, the victim is entitled for compensation.

4. That being the scope of the Board Proceedings, the appellants are entitled to a compensation of Rs.2,00,000/- each as per the Board Proceedings and if they are of the opinion that the Board authorities have committed any act of omission, commission and negligence, they are at liberty to approach the civil Court for the purpose of enhancement of compensation in the manner known to law.

5. However, the learned Single Judge has committed an error in not awarding compensation as per the Board Proceedings, despite the fact that such compensation has been granted by way of policy. Thus, we are inclined to consider the Writ Appeal.



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6. Accordingly the order impugned dated 30.11.2002 in W.P. (MD) No.21254 of 2021 is set aside and the respondents are directed to settle a sum of Rs.2,00,000/- (Rupees Two Lakhs only) to each of the petitioners within a period of eight weeks from the date of receipt of a copy of this order.

7. Thus, the Writ Appeal stands allowed. No costs.

**[S.M.S.J.,] & [V.L.N.J.,]
23.11.2023**

NCC :Yes/No
Index :Yes/No
SJ

To

1.The District Collector,
Madurai,
Madurai District – 20.



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AND
V. LAKSHMINARAYANAN, J.

SJ

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