



W.P.(MD).No.8625 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.09.2023

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD).No.8625 of 2021

Chinnakkalai

... Petitioner

Vs.

- 1.State through the
Sub Inspector of Police,
M.Chatrapatti Police Station,
(Crime No.135 of 2019)
Madurai District.
- 2.The Assistant Engineer,
Office of the Assistant Engineer,
Tamil Nadu Electricity Board,
Now known as
Tamil Nadu Generation and
Distribution Corporation Limited,
(TANGEDCO),
Alagar Kovil-625 301.
- 3.The Divisional Engineer,
Tamil Nadu Electricity Board,
Thiruppalai,
Madurai Post,
Madurai District.
- 4.The Chief Engineer,
Tamil Nadu Generation and



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Distribution Corporation,
(TANGEDCO),
NPKKR MALIGAI Western block,
No.144, Anna Salai,
Chennai.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the 4th respondent to consider and dispose of the representation of the petitioner dated 21.09.2020 submitted in the form of legal notice and take steps to pay compensation in a sum of Rs.20,00,000 (Rupees Twenty Lakhs only) for the death of his only son Ramesh, who died on account of electrocution and also to provide employment to Sivaranjani, his eldest daughter, on compassionate grounds in any one of the vacancies in Tamil Nadu Power Generation and Distribution Corporation Limited, within a time frame that may stipulated by this Court.

For Petitioner : Mr.A.Hariharan

For R-1 : Mr.K.Sanjai Gandhi,
Government Advocate (Criminal Side)

For R-2 to R-4 : Mr.S.Deenadhayalan,
Standing Counsel

ORDER

This Writ Petition is filed for Writ of Mandamus, to direct the 4th respondent to consider and dispose of the representation dated 21.09.2020



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submitted in the form of legal notice and take steps to pay compensation for a sum of Rs.20,00,000 (Rupees Twenty Lakhs only) for the death of his only son Ramesh, who died on account of electrocution and also to provide employment to Sivaranjani, his eldest daughter, on compassionate grounds in any one of the vacancies in Tamil Nadu Power Generation and Distribution Corporation Limited.

2. The petitioner's son is aged about 11 years. The petitioner's son went to the coconut grove and was playing in the said place. The petitioner's son inadvertently came in contact with the live wire and electrocuted. It is seen that the wire was snapped and was lying on the ground. Once the line is snapped and fell on the earth, the supply of electricity ought to be disconnected. Such safety measure is not available in the present case and the respondents have failed to take such safety measure in the present case. Atleast the respondents ought to be disconnected the supply when the wire was snapped and the respondents had failed to disconnect. Therefore, the negligence is on the part of the respondents.

3. As per BP proceedings, the respondents ought to pay Rs.5,00,000/- (Rupees Five Lakhs only) for any electrocution death. Since in the present case, the negligent on the part of the respondents, this Court is fixing on the liability on the respondents. The deceased person was only 11 years old, hence the just



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and adequate compensation would be Rs.10,00,000/- (Rupees Ten Lakhs only).

Therefore, the respondents are directed to pay a sum of Rs.10,00,000/- (Rupees Ten Lakhs only) to the petitioner within a period of eight (8) weeks from the date of receipt of a copy of this order. If the respondents fails to pay the same within the stipulated time as stated supra, then the respondents shall pay 6% interest and the interest shall be calculated from the date of lapse.

4. As far as the second prayer is concerned there no scheme to grant compassionate appointment for electrocution death. Hence, the said prayer is declined.

5. With these observations and directions, this Writ Petition is allowed partly. There shall be no order as to costs.

27.09.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
Sml



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To

The Sub Inspector of Police
Rep. through the State ,
M.Chatrapatti Police Station,
(Crime No.135 of 2019)
Madurai District.



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S.SRIMATHY, J.

Sml

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