



W.A(MD)No.535 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.04.2023

CORAM:

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
and
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

W.A(MD)No.535 of 2023

1.Soosairaj

2.Joseph Julia

... Appellants/Petitioners

-VS-

1.The Chairman,
TANGEDCO,
Anna Salai,
Chennai – 600 002.

2.The Superintending Engineer,
TANGEDCO,
Udumalpet Electricity Distribution Circle,
Eripalayam Post, Udumalpet,
Coimbatore District.

3.The Executive Engineer,
TANGEDCO,
Pollachi Circle,
Coimbatore District.

... Respondents/Respondents

PRAYER: Appeal filed under Clause 15 of Letters Patent, against the order made in W.P(MD)No.6029 of 2022, dated 25.07.2022.

For Appellants : Mr.J.Sankara Pandian



W.A(MD)No.535 of 2023

For Respondents : Mr.S.Deenadhayalan

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JUDGMENT

[Judgment of the Court was delivered by R.SUBRAMANIAN, J.]

Being aggrieved by the order of the Writ Court, dated 25.07.2022 made in W.P(MD)No.6029 of 2022, the appellants/writ petitioners have filed this writ appeal.

2. The Writ Court has dismissed the writ petition on the ground that the matter involves investigation of facts.

3. The learned counsel for the TANGEDCO has produced the proceedings of the Chief Engineer Personnel, dated 16.10.2019, which provides for payment of ex-gratia compensation on compassionate ground to persons affected by fatal and non-fatal accidents. As per the said proceedings, for fatal cases, the TANGEDCO has offered to pay a sum of Rs.5,00,000/- as ex-gratia payment.

4. We do not think that we must drive the appellants, who are advanced in age to the civil Court even for recovery of Rs.5,00,000/- which is payable under the proceedings of the TANGEDCO. Hence, the writ



W.A(MD)No.535 of 2023

appeal is partly allowed. The order of the Writ Court is set aside. There will be a direction to the respondents to pay Rs.5,00,000/- (Rupees Five Lakhs Only) to the appellants, within a period of three months from today. It will be open to the appellants to seek further compensation before the civil Court. No Costs.

[R.S.M., J.]

[L.V.G., J.]

28.04.2023

NCC :Yes/No

Index :Yes/No

PM

To:

- 1.The Director,
Directorate of Public Libraries,
No.737/1, Anna Salai,
Chennai – 600 002.
- 2.The District Collector,
Sivagangai District.
- 3.The District Library Officer,
O/o.District Library Office,
Sivagangai District.



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W.A(MD)No.535 of 2023

R.SUBRAMANIAN, J.
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L.VICTORIA GOWRI, J.

pm

W.A(MD)No.535 of 2023

28.04.2023