



W.P.(MD) No.10178 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.06.2023

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD) No.10178 of 2020

A.Jaya

.. Petitioner

Vs.

1.The Chairman,
Tamilnadu Electricity Board,
Anna Salai, Chennai.

2.The Executive Engineer,
Operation & Maintenance,
Kariapatti EB Office,
Aruppukottai, Virudhu Nagar District.

3.Samayamuthu

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 04.02.2020 and to direct the respondents to pay the compensation of Rs.10,00,000/- (Ten Lakhs Rupees only) for the loss of petitioner's husband named Arjunan, due to electrocution in third respondent's agricultural field.



W.P.(MD) No.10178 of 2020

WEB COPY

For Petitioner : Mr.R.Balamuruganantham
For RR1 & 2 : Mr.S.Deenadhayalan
Standing Counsel
For R3 : No Appearance

ORDER

This writ petition for a mandamus is filed seeking compensation from the respondents to the tune of Rs.10,00,000/- (Rupees Ten Lakhs only) for the death of the petitioner's husband Arjunan on account of electrocution in the third respondent's field.

2. It is stated that the petitioner's husband had come in contact with an illegally erected electric fence belonging to the third respondent, as a result of which he had sustained electric shock and ultimately succumbed to his injuries. The petitioner would fairly admit that the third respondent was directed to pay compensation of a sum of Rs.2,00,000/- (Rupees Two Lakhs only) as an interim measure while granting



W.P.(MD) No.10178 of 2020

anticipatory bail to the third respondent in CrI.O.P.(MD) No.14335 of 2019. The petitioner has moved this writ petition stating that it is the duty of the first and second respondents to take action against the third respondent for the illegal erection of the electric fence and since they had failed in their duty, they are liable to pay the compensation.

3. Heard the learned counsel for the petitioner and the learned Standing Counsel for the respondent-Board.

4. None appears for the third respondent.

5. Even according to the petitioner, the electric fencing had been put up by the third respondent illegally, thereby implying that the same was put without the knowledge of the respondent-Board. The petitioner has not been able to make out any ground that the accident had occurred on account of the negligence of the respondent-Board. Therefore, in the absence of such proof, the writ petition demanding compensation is not maintainable, particularly when the Board was in the dark about the



W.P.(MD) No.10178 of 2020

electric fence. Hence, this Writ Petition is dismissed. However, there shall be no order as to costs.

21.06.2023

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

abr



W.P.(MD) No.10178 of 2020

WEB COPY

To

- 1.The Chairman,
Tamilnadu Electricity Board,
Anna Salai, Chennai.
- 2.The Executive Engineer,
Operation & Maintenance,
Kariapatti EB Office,
Aruppukottai, Virudhu Nagar District.



WEB COPY



W.P.(MD) No.10178 of 2020

P.T.ASHA, J.

abr

W.P.(MD) No.10178 of 2020

Dated: 21.06.2023