



W.P.(MD).No.10395 of 2020

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.09.2023

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD).No.10395 of 2020

K.Rajangam

... Petitioner

Vs.

- 1.The Chairman and Managing Director,
Tamil Nadu Electricity Board (TANGEDCO),
NPKRR Maligai,
No.144, Anna Salai,
Chennai-600 002.
- 2.The Superintending Engineer,
Tamilnadu Electricity Board (REDC),
Near RTO Office, Bharathi Nagar,
Ramanathapuram,
Ramanathapuram District.
- 3.The Executive Engineer (Distribution),
Tamilnadu Electricity Board,
Regunathapuram Sub-Station, (HT 11-KV LINE),
Office of Superintending Engineer,
Near RTO Office, Bharathi Nagar,
Ramanathapuram,
Ramanathapuram District.



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4. The Assistant Engineer,
Tamilnadu Electricity Board,
Ramanathapuram Rural, Distribution,
Office of Superintending Engineer,
Near RTO Office, Bharathi Nagar,
Ramanathapuram,
Ramanathapuram District.

... 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 respondents to pay Rs.25,00,000/- (Rupees Twenty Five Lakhs only) as compensation for the unexpected death of the petitioner's son Karthik due to electrocution and may be ordered to pay the bankable interest as fixed by this Court from the date of 08.08.2019, on which the petitioner's son Karthik was died till the payment of the compensation amount to the petitioner/dependants.

For Petitioner : Mr.A.Kannan

For Respondents : Mr.S.Deenadhayalan

ORDER

This writ petition is filed for writ of Mandamus, to direct the respondents to pay Rs.25,00,000/- (Rupees Twenty Five Lakhs only) as compensation for the unexpected death of the petitioner's son Karthik due to electrocution and may be ordered to pay the bankable interest as fixed by this



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Court from the date of 08.08.2019, on which the petitioner's son Karthik was died till the payment of the compensation amount to the petitioner.

2.This writ petition is filed by Karthik's father for himself and on behalf of his wife. The electric wire was snapped and fell on the fencing which is made of iron. The petitioner's son on hearing the voice of his dog has rushed to save the dog. While saving the dog, he also came in contact with the live electric wire and got electrocuted.

3.The contention of the respondents is that the snapping occurred due to heavy wind. Even though if it is heavy wind, under no fault liability, as per the B.P. Proceedings, the respondents are bound to pay the amount to the tune of Rs.5,00,000/- (Rupees Five Lakh only). In the present case, since the petitioner as well as the petitioner's wife is claiming, the respondents are directed to pay Rs.10,00,000/- (Rupees Ten Lakh only) as compensation. The said amount shall be paid within a period of eight weeks from the date of receipt of a copy of this order. If the respondent is paying within the period of



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eight weeks the same shall not carry any interest, if the respondents are paying beyond the period eight weeks, the compensation payment shall carry interest at the rate of 7% from the date of completion of eight weeks.

4. With the above said observation, the writ petition is allowed. No costs.

05.09.2023

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

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S.SRIMATHY, J.

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