



W.P.(MD) No.12946 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.06.2023

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD) No.12946 of 2020

Muthumari

.. Petitioner

Vs.

- 1.The Chief Engineer/Distribution,
Tamilnadu Electricity Board,
Madurai Region,
K.Pudur, Madurai.
- 2.The Executive Engineer/General,
Office of the Executive Engineer/General,
K.Pudur, Madurai-7.
- 3.The State of Tamilnadu, Rep., by
The District Collector,
Office of the District Collector,
Madurai.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the respondents to pay fair and reasonable amount of compensation for the Electric shock to the petitioner's son by name Madurai Veeran within the time stipulated by this Court.



W.P.(MD) No.12946 of 2020

WEB COPY

For Petitioner : Mr.R.Alagumani
RR1 & 2 : Mr.S.Deenadhayalan
Standing Counsel
For R3 : Mr.T.Amjadkhan
Government Advocate

ORDER

This writ petition is filed seeking compensation for the injury sustained by the petitioner's son Madurai Veeran on account of an electric shock within a stipulated time.

2. The petitioner's case is that besides Madurai Veeran, she has two daughters and she is a destitute woman working as a Sweeper in American College earning a salary of Rs.6,000/- per month. On 10.12.2014, at about 11.30 a.m., her younger sister's daughter Hathija @ Durga Shree, aged about 1½ years, was playing near her grandmother's house along with the petitioner's son. At that time, a live electric line, which was lying on the floor, caused electric shock to the baby, who shouted for help and when the petitioner's son went to rescue the baby, he

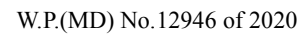


W.P.(MD) No.12946 of 2020

had also sustained electric shock followed by the petitioner's sister, who had also rushed to rescue the children.

3. It is her further case that her son had sustained injuries on the right side of his thigh, right hand fingers and his back. Her sister and the baby had also sustained injuries and they were rushed to the Madurai Government Rajaji Hospital and were admitted as inpatients. The petitioner would submit that the respondents were liable for the negligent act of their subordinates in leaving an unattended live wire. The petitioner would submit that her sister's husband had filed W.P.(MD) No. 8759 of 2017 claiming compensation, since the representation to the respondents had fell on deaf ears. By an order dated 25.08.2020, this Court was pleased to order compensation of a sum of Rs.2,00,000/- to the petitioner's sister's daughter and Rs.25,000/- to her sister.

4. The second respondent has filed a counter in which he has not denied the accident nor the awarding of compensation to the others. He would shift the blame on the private contractor.



6. In the result, this Writ Petition is allowed, directing the respondents to pay a sum of Rs.2,00,000/- (Rupees Two Lakhs only) as compensation to the petitioner's son. The amount shall be put into the fixed deposit and the interest accrued thereon, shall be drawn by the petitioner once in three months. In case of any emergency, it is well open to the petitioner to approach this Court for orders. The deposit in the



W.P.(MD) No.12946 of 2020

WEB COPY

name of the minor, with his mother being shown as the guardian, shall be made within a period of four weeks from the date of receipt of a copy of this order. No costs.

15.06.2023

NCC : Yes/No

Index : Yes/No

Internet : Yes

abr

To

- 1.The Chief Engineer/Distribution,
Tamilnadu Electricity Board,
Madurai Region,
K.Pudur, Madurai.
- 2.The Executive Engineer/General,
Office of the Executive Engineer/General,
K.Pudur, Madurai-7.
- 3.The District Collector,
Office of the District Collector,
Madurai.



WEB COPY



W.P.(MD) No.12946 of 2020

P.T.ASHA, J.

abr

W.P.(MD) No.12946 of 2020

Dated: 15.06.2023