



W.P.(MD)No.16861 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 08.11.2023

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD)No.16861 of 2021

and

W.M.P.(MD)No.14616 of 2021

Suruliammal

... Petitioner

vs.

1.The Director General of Police,
Dr.Radhakrishnan Salai, Mylapore, Chennai-600004.

2.The Chairman cum Managing Director,
(TANGEDCO), 6th Floor,
TANTRANSCO Building,
144, Anna Salai, Chennai-600002.

3.The District Collector,
Thiruvannamalai District, Thiruvannamalai.

4.The Superintendent of Police,
Thiruvannamalai District, Thiruvannamalai.

5.The Superintendent of Police,
Armed Reserve Force,
Thiruvannamalai, Thiruvannamalai District

6.The Assistant Engineer,
(TANGEDCO),
Venkikal, Thiruvannamalai North, Thiruvannamalai District.



W.P.(MD)No.16861 of 2021

7.The Inspector of Police,
Thiruvannamalai East Police Station,
Thiruvannamalai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, direction the respondents to provide appropriate compensation amount to my family on the basis of my representation dated 07.06.2018.

For Petitioner	:Mr.T.Indrachithu
For R1, R4, R5 and R7	:Mr.R.Sivakumar Government Advocate (Crl.side)
For R3	:Mr.K.S.Selva Ganesan Additional Government Pleader
For R2 and R6	:Mr.S.Deenadhayalan *****

ORDER

This Writ Petition has been filed for the issue of Writ of Mandamus directing the respondents to pay the compensation to the petitioner based on the representations made by the petitioner on 07.06.2018 and 03.09.2021.

2.The case of the petitioner is that her son was working in the Battalion Armed Reserve Force. He was deployed at Tiruvannamalai. He was carrying out repairs of lamps and the ladder that was carried by



W.P.(MD)No.16861 of 2021

him came in contact with a live wire and as a result, he was electrocuted and he died on 07.12.2021. An FIR came to be registered in Cr.No.1726 of 2011 under Section 174 of Cr.P.C. The postmortem report was revealed the fact that the son of the petitioner died due to electrocution. It is under these circumstances, the petitioner has come up with this Writ Petition seeking for compensation.

3.The learned Government Advocate appearing on behalf of the respondents 1, 4, 5 and 7 produced the relevant records before this Court. It is seen that pursuant to the demise of the petitioner's son, the following payments were made to the legal heirs:

DETAILS OF BENEFITS DRAWN AND PAID TO the LEGAL HEIRS	AMOUNT	CASH ON DATE
Chief Minister's Relief Fund As per G.O.. (2D)No.469, Home (Police VI) Dept. dated: 16.12.2011	Rs.2,00,000/- A cheque bearing No.533979 dated: 27.01.2012 was disbursed to the father of deceased on 27.01.2012	27.01.2012
Family Benefit Fund	Rs.1,50,000/-	03.02.2012
SPF-I	Subscription - 900 Interest - <u>72</u> Total - <u>972</u>	09.02.2012



W.P.(MD)No.16861 of 2021

SPF-II	Subscription - 2250 Interest - <u>428</u> Total - <u>2678</u>	09.02.2012
Termination leave salary	Rs.47,999/-	09.02.2012
CPS Final Payment	Employees Contribution Rs.41170/- Interest Rs.37704/- Govt.Contribution Rs.41170/- Interest Rs.37704/- <u>Rs.1,57,748/-</u>	17.06.2019

4.It is clear from the above that whatever amounts to which the deceased was entitled to was paid to the tune of Rs.5,59,397/-. In fact, for the untimely death, a payment of Rs.2,00,000/- was made from the Hon'ble Chief Minister's Relief Fund. The manner in which the death was caused is quite unfortunate, but however, no negligence can be attributed on the part of the respondents. The deceased was carrying a ladder and this ladder unfortunately came in touch with the live wire and as a result, he was electrocuted. This is more in the nature of an accident and the accident did not take place due to the negligence of the respondents. Therefore, there is no question of directing the respondents to pay further compensation to the mother of the deceased.



W.P.(MD)No.16861 of 2021

WEB COPY

5. In view of the above discussion, no further relief can be granted in this case and the Writ Petition is disposed of in the above terms. No costs. Consequently, connected miscellaneous petition is closed.

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

08.11.2023

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To

1. The Director General of Police,
Dr. Radhakrishnan Salai, Mylapore, Chennai-600004.

2. The District Collector,
Thiruvannamalai District, Thiruvannamalai.

3. The Superintendent of Police,
Thiruvannamalai District, Thiruvannamalai.

4. The Superintendent of Police,
Armed Reserve Force,
Thiruvannamalai, Thiruvannamalai District

5. The Inspector of Police,
Thiruvannamalai East Police Station,
Thiruvannamalai District.



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W.P.(MD)No.16861 of 2021

N.ANAND VENKATESH, J.

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W.P.(MD)No.16861 of 2021

08.11.2023