



W.P(MD)No.11564 of 2015

WEB COPY

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 13.07.2023**

**CORAM**

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

**W.P(MD)No.11564 of 2015**

Vijayalakshmi

... Petitioner

Vs

1.The Secretary to Government,  
Department of Electricity,  
Secretariat,  
Fort St.George,  
Chennai.

2.The Superintending Engineer,  
TANGEDCO,  
Ramnad.

3.The Assistant Engineer,  
TANGEDCO,  
Rameswaram Taluk,  
Ramnad District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to consider and pass appropriate orders on the petitioner's representation dated 20.01.2015 in accordance with law within a reasonable time to be fixed by this Court.



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For Petitioner : Mr.J.M.Hassanul Bazari

For Respondents : Mrs.K.Christy Theboral  
Additional Government Pleader for R.1  
Mr.S.Dheenadhayalan  
Standing Counsel for R.2 & R.3

**ORDER**

Heard the learned counsel on either side.

2. The writ petitioner's husband was running a fruit stall business at Rameswaram. His daughter Kavitha was given in marriage to one Murugan. On 20.10.2014 her daughter and son-in-law had come down to Rameswaram for celebrating what is known as “Thalai Deepavali”. The petitioner's husband and son-in-law gone out for purchase. While returning, a live electric wire had snapped from the electric post, they came into contact with the same. Both of them died instantly due to electrocution. In this regard, Crime No.129 of 2014 was registered on the file of Rameswaram Kovil Police Station. Contending that appropriate compensation must be paid, the present writ petition came to be filed.

3. I wanted to know from the respondents if the version projected in this writ petition is correct. It has been fairly stated by the Executive Engineer (Distribution), TANGEDCO, Ramnad that the occurrence had taken place on account of the snapping of LT live line due to weather condition.



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4. The TANGEDCO staff may not have been negligent as such. But in this case, this Court would have to apply the principle of absolute liability. The deceased was aged around 45 years at the time of death. As per Sarala Verma's case, the multiplier applicable is 13. Considering the overall facts and circumstances, it would be safe to assume that the deceased was earning around Rs.10,000/- per month. Even if due deduction is given for his personal expenses, he would have contributed a sum of Rs.6,000/- (Rupees Six Thousand only) per month. Applying the lump sum amount payable in terms of Pranay Sethi decision, a further sum of Rs.70,000/- (Rupees Seventy Thousand only) has to be paid. The respondents 2 and 3 are directed to pay a sum of Rs. 10,06,000/- (Rupees Ten Lakhs and Six Thousand only) together with the interest at the rate of 6% per annum with effect from 01.01.2015 onwards to the petitioner.

5. This writ petition is allowed accordingly. There shall be no order as to costs.

**13.07.2023**

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



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**G.R.SWAMINATHAN, J.**

MGA

To

- 1.The Secretary to Government,  
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