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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.08.2023

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD)No.22228 of 2021

R.Mariyayi

... Petitioner

vs.

- 1.The Chairman,
Tamil Nadu Electricity Board,
144, Anna Salai,
Chennai-600 002.
- 2.The Superintendent Engineer,
Operation and Maintenance,
Vallam Rd, 1,
Thanjavur-613 007.
- 3.The Assistant Executive Engineer,
Operation and Maintenance,
Veeramarasanpettai,
Bhoodhalur Circle,
Thanjavur-613 602.

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondent board to grant a reasonable compensation for the death of petitioner's husband Mr.Rengaraj by considering the representation of the petitioner dated 07.02.2017.

For Petitioner : Mr.A.Sivasubramanian

For Respondents : Mr.K.Nagarajan,
Standing Counsel

ORDER

This writ petition is filed for writ of Mandamus, to direct the respondent board to grant a reasonable compensation for the death of petitioner's husband Mr.Rengaraj by considering the representation of the petitioner dated 07.02.2017.

2.The petitioner's husband is an agriculture coolie. While, he went out in the early morning to water his agriculture field, unaware of the live high tension electric wire was snapped, came in contact with the live wire and was electrocuted.



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3. According to the respondents, during the previous night there was heavy wind and rain. Therefore, the electric wire was snapped and there is no negligence on the part of the respondents. On perusing the FIR, it is seen that even according to the petitioner, during the previous night, there was heavy rain and wind.

4. Even though the plea of the respondents may be accepted, the fact remains that the petitioner's husband was electrocuted. Even if there is no negligence, the respondents are liable to pay compensation to the tune of Rs. 5,00,000/- as per their own B.P. Proceedings.

5. After taking the facts and circumstances of the case, the deceased being the sole bread winner, this Court is fixing the liability on the respondents and directing the respondents to pay Rs.7,50,000/- (Rupees Seven Lakhs Fifty Thousand only). The said amount shall be paid within a period of eight weeks from the date of receipt of a copy of this order.



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6. With these observations and directions, this Writ Petition is allowed.

There shall be no order as to costs.

Index : Yes / No

Internet : Yes

NCC : Yes / No

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S.SRIMATHY, J

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