



W.P(MD)No.1004 of 2016

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.06.2023

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

W.P(MD) No.1004 of 2016 and
WMP(MD) No.829 of 2016

P.Virumandi

Petitioner

Vs.

1.The State

Represented by its
Chief Secretary,
Secretariat,
Chennai.

2.The Chief Engineer,
Tamilnadu Electricity Board,
800, Annasalai,
Chennai – 2.

3.The Superintending Engineer,
Distribution,
Distribution Circle,
K.Pudur,
Madurai – 7.

4.The Executive Engineer,
Tamilnadu Electricity Board,
Usilampatti,
Madurai District.



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5.The Assistant Executive Engineer,
Tamil Nadu Electricity Board,
Checkanoorani.

6.K.Vanaraja

Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondents to pay compensation in terms of money to the value of Rs.30,00,000/-(Rupees Thirty Lakhs Only) to the petitioners for the death of their son namely Sathish S/o Virumandi, aged about 19 years due to an accident dated 30.03.2015 at Keezhapacheri, Kovilangulam Post, Usilampatti Taluk, Madurai District arising out of electrocution for the failure of statutory duty in following the safety measures and procedure contemplated for maintenance of electric lines and poles by the respondents.

For Petitioner	:No appearance
For R1	:Mr.S.R.A.Ramachandran Additional Government Pleader
For R2 to R5	:Mr.S.Deenadhayalan Standing Counsel
For R6	:Mr.V.Maragathavel

ORDER

The petitioner's son namely Sathish, aged about 19 years died on 30.03.2015 due to electrocution and this petitioner has filed this writ petition seeking compensation.



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2.Today(05.06.2023), when this writ petition is taken up for hearing, there is no representation for the petitioner.

3.The learned Standing Counsel appearing for the respondent Electricity Board submits that due to the fault on the part of the sixth respondent, the occurrence was taken place in his land and hence the liability has to be fastened only on the sixth respondent. He further submits that in this regard, a criminal case was registered as against the sixth respondent in Crime No.138 of 2015 and a final report has also been filed for the offence under Section 304 A of IPC against the sixth respondent. Therefore, the respondent Board is not entitled to pay any compensation to the petitioner.

4.Recording the submission made by the learned Standing Counsel, this writ petition is disposed of with a liberty to the petitioner to work out his remedy for compensation as against



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the sixth respondent by filing a separate suit. No costs.

Consequently, connected Miscellaneous Petition is closed.

05.06.2023

NCC : Yes / No.

Index : Yes / No.

Internet : Yes / No.

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To

- 1.The Chief Secretary,
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Order made in
W.P(MD) No.1004 of 2016 and
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