



W.P(MD)No.4323 of 2016

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.06.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.4323 of 2016

1.S.Ayyappan
2.C.Kumari
3.A.Suresh

...Petitioners

Vs

1.The Chairman,
TANGEDCO Ltd.,
No.800, Annasalai,
Chennai.

2.The Superintending Engineer,
TANGEDCO Ltd.,
Parvathipuram,
Nagercoil,
Kanyakumari District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 1 to 3 to pay a sum of Rs.25,00,000/- as compensation for the death of the first and second petitioners' son, namely A.Sugu, due to electrocution.



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For Petitioners : Mr.T.Arul
For Respondents : Mr.S.Deenadhayalan
Standing Counsel

ORDER

The first and second petitioner's son, namely A.Sugu died on 14.06.2015 due to electrocution. Hence, the petitioners have approached the respondent Board for compensation and the same has not been granted to them. Therefore, the petitioners have filed this writ petition in the year 2016 seeking compensation.

2.The respondent Board has filed a counter affidavit that this is an act of god and therefore, the Board is not liable to pay the compensation.

3.The fact remains that the petitioner's son died when a coconut leaf fell on the electric line and the electric line got snapped during rain and thus caused accident. TANGEDCO cannot simply evade the payment of compensation that this is an act of God. The TANGEDCO has passed a resolution dated 16.10.2019 in respect of



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fatal/non-fatal, non-departmental, mechanical/electrical accidents to human beings/animals and the proceedings is extracted as under:-

TAMIL NADU GENERATION AND DISTRIBUTION CORPORATION LIMITED
(ABSTRACT)

Accident-Compensation payable by TANGEDCO in case of Fatal/Non-Fatal, Non-departmental, Mechanical/Electrical accidents to human beings/animals-Enhancement of payment of compensation – Orders issued.

(ADMINISTRATIVE BRANCH)

(Per.)(FB) TANGEDCO Proceeding No.6

Dated: 16.10.2019
Purattasi:29,Vigari Varudam
Thiruvalluvar Aandu 2050.

- 1) (Per.) (FB) TANGEDCO Proceedings No.5, dated 29.04.2013.
- 2) Extract from the Minutes of 90th Board Meeting of the TANGEDCO held on 30.09.2019

PROCEEDINGS:

In modification of the orders issued in the B.P.cited, the TANGEDCO directs that the exgratia payment payable on compassionate grounds in respect of Fatal/Non-Fatal, Non-departmental, Mechanical/Electrical accidents to human beings/animals is enhanced as detailed below:-

Sl.No	Mode of Accident	Existing	Enhanced	Competent Authority
1.	For Fatal	Rs.2,00,000/-	Rs.5,00,000/-	Chief Engineer/Personnel
2.	For Non-Fatal a) Loss of two limbs or two eyes b) Loss of one Limb or one eye	Rs.1,00,000/-	Rs.2,00,000/- Rs.1,00,000/-	
3.	Animals (Cow/Buffalow/Bullock)	Rs.10,000/-	Rs.25,000/-	

2.The above enhanced rates of compensation shall be paid to the victims on incidents reported on or after 29.07.2019. Previous closed files need not be reopened.



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3.The receipt of the B.P. Shall be acknowledged.

(BY ORDER OF THE BOARD OF TANGEDCO)

A.ASHOK KUMAR
CHIEF ENGINEER/PERSONNEL

To

All the Chief Engineers
All the Superintending Engineers

Copy to:

The Chairman-cum-Managing Director's Table
The Director (Distribution)/TANGEDCO
The Director (Generation)/TANGEDCO
The Director (Finance)
The Superintending Engineer/Chairman-cum Managing Director's Office
The Chief Financial Controllers
The Company Secretary / TANGEDCO
The Chief Internal Audit Officers
The Legal Advisor/TANGEDCO
The Secretary/TANGEDCO
The Senior Personnel Officer/Recruitment/TANGEDCO
The Senior Personnel Officer/Labour/TANGEDCO
The Senior Personnel Officer/Administration/TANGEDCO
The Senior Personnel Officer/Inspection/TANGEDCO

4.Though this writ petition was filed in the year 2016,
compensation has not been paid to the petitioner so far on the
ground that it is an act of God.

5.In view of the above proceedings, this writ petition is
disposed of. The respondent Board is directed to pay the



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compensation of Rs.5,00,000/- to the petitioner, as per the Board's resolution, dated 16.10.2019 within a period of twelve weeks from the date of receipt of a copy of this order. No costs.

05.06.2023

NCC : Yes / No.
Index : Yes / No.
Internet : Yes / No.
vrn

To

- 1.The Chairman,
TANGEDCO Ltd.,
No.800, Annasalai,
Chennai.
- 2.The Superintending Engineer,
TANGEDCO Ltd.,
Parvathipuram,
Nagercoil,
Kanyakumari District.



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B.PUGALENDHI, J.

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Order made in
W.P(MD)No.4323 of 2016

05.06.2023