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W.P.No.5908 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.06.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.5908 of 2022

P.Aruldass

...Petitioner

Vs.

- 1.The Tamilnadu Generation and
Distribution Corporation Ltd.,
Rep. By its Chairman,
No.144, Annasalai,
Chennai 600 002
- 2.The District Collector,
Kallakurichi District,
Kallakurichi
- 3.The Superintending Engineer,
Tamilnadu Generation and Distribution Corporation Ltd.,
Shivaji Nagar Lions Club Building,
Kallakurichi 606 202
- 4.The Assistant Executive Engineer(O&M),
Tamilnadu Generation and Distribution Corporation Ltd.,
Ulunthurpettai Division,
Ulunthurpettai,
Villupuram District 606 107

... Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India praying to issue a Writ of Mandamus directing the respondents to pay compensation to a tune of Rs.10,00,000/- (Rupees Ten Lakhs only)



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for the death of Mangalanayaki, who died due to electrocution on 07.03.2020 to the petitioner within a time frame fixed by this Court.

For Petitioner : M/s.L.Parvinbanu

For Respondents : Mrs.Danial Mary,
Standing Counsel

ORDER

This writ petition has been filed for direction to the respondents to pay compensation of Rs.10,00,000/- for the demise of the petitioner's wife due to electrocution.

2. On 07.03.2020, when the petitioner's wife was washing clothes, there was heavy wind, due to which a tree which was standing nearby fell down on a live electric wire. Thereafter, the electric wire was cut down and fell on the petitioner's wife, due to which she got electrocuted and died on the spot. Immediately, complaint was lodged and FIR has been registered in crime No.44 of 2020 under Section 174 of Cr.P.C. Though the accident was not due to negligence on the part of the respondents, the electric wire was cut and the same fell down on the petitioner's wife due to heavy wind. Therefore, the fatal incident did not



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happen due to carelessness and negligence on the part of the respondents.

However, as per the respondents' proceedings No.6 dated 16.10.2019, the ex-gratia payment payable on the compassionate grounds in respect of fatal / non fatal, non departmental, mechanical /electrical accidents to human beings has been ordered to the tune of Rs.5,00,000/- in the case of fatal. Therefore, the petitioner is entitled to get compensation to the tune of Rs.5,00,000/- as per the respondent's proceedings No.6 dated 16.10.2019.

3. In view of the above, the respondents are directed to pay a sum of Rs.5,00,000/- as compensation to the petitioner within a period of eight weeks from the date of receipt of copy of this order.

4. With the above direction, this writ petition is disposed of.

There shall be no order as to costs.

06.06.2024

Neutral citation: Yes/No

Index: Yes/No

Speaking/Non-speaking order

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G.K.ILANTHIRAIYAN, J.

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- 1.Chairman,
The Tamilnadu Generation and
Distribution Corporation Ltd.,
No.144, Annasalai,
Chennai 600 002
- 2.The District Collector,
Kallakurichi District,
Kallakurichi
- 3.The Superintending Engineer,
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- 4.The Assistant Executive Engineer(O&M),
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