



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09-02-2024

CORAM

THE HONOURABLE MR.JUSTICE S.M. SUBRAMANIAM

WP No.22016 of 2021

Mrs.Sumathi

.. Petitioner

-VS-

- 1.The Chairman,
TANGEDCO,
Anna Salai,
Chennai-600 002.
- 2.The Superintending Engineer,
TANGEDCO,
Villupuram District,
Villupuram.
- 3.The Executive Engineer (O&M),
TANGEDCO,
Vikravandi Taluk,
Villupuram District.



4.The Inspector of Police,
Vikravandi Police Station,
Villupuram District.

.. Respondents

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Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents to pay the compensation of a sum of Rs.30,00,000/- for the death of the deceased Kumar, son of Ramachandran, aged about 62 years died on account of electrocution on 17.08.2018 to the petitioner based on her representation dated 20.02.2021 and 28.05.2021.

For Petitioner : Mr.C.Prabakaran

For Respondents-1 to 3 : Ms.Keerthana Sheno for
Mr.L.Jai Venkatesh,
Standing Counsel for TANGEDCO.

For Respondent-4 : No Appearance

ORDER

The relief sought for in the present writ petition is to direct the respondents to pay the compensation of a sum of Rs.30,00,000/- for the



death of the deceased Kumar, son of Ramachandran, aged about 62 years died on account of electrocution on 17.08.2018 to the petitioner based on her representation dated 20.02.2021 and 28.05.2021.

2. The petitioner states that her husband Mr.Kumar while going to his agricultural land for the work at about 05.00 P.M., electric line erected by the respondent-TANGEDCO was cut and fell down on the husband of the writ petitioner and her husband sustained serious injuries and admitted in the Government Medical College Hospital, Mundiampakkam, Villupuram. Subsequently, the husband of the writ petitioner died. A criminal case was registered in Crime No.534 of 2018 under Section 174 of Cr.P.C., by the fourth respondent -Inspector of Police, Vikravandi Police Station.

3. The death of the husband of the writ petitioner has not been disputed by the respondents. The petitioner submitted an application seeking compensation, which was not considered by the respondents. Thus the present writ petition came to be instituted by the writ petitioner.



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4. Ms.Keerthana Shenoi, learned Standing Counsel appearing on behalf of the respondent-TANGEDCO would contend that there was no negligence on the part of the respondent-TANGEDCO. However, the fact regarding the death of the husband of the writ petitioner due to electrocution has not been disputed by the respondent-TANGEDCO. Moreover the electrical line erected by the respondent-TANGEDCO cut and fell down on the husband of the writ petitioner.

5. When these facts are not disputed, this Court has to arrive a conclusion that the death of the husband of the writ petitioner was occurred on account of electrocution. Once the factum regarding the death due to electrocution has been established, then the victim is entitled for compensation on compassionate ground under TANGEDCO proceedings No.6, Administrative Branch, dated 16.10.2019. .

6. As per the TANGEDCO proceedings, which was prevailing at the time of death of the husband of the writ petitioner, the compensation



fixed was Rs.2 lakhs. Subsequently the TANGEDCO revised the compensation to Rs.5 lakhs vide its TANGEDCO proceedings No.6, Administrative Branch, dated 16.10.2019.

7. However, in the present case, the wife has lost her husband, who was the breadwinner of the family. More-so, the respondent-TANGEDCO has not settled the compensation immediately after the death of the husband of the writ petitioner. During the pendency of the present writ petition, the quantum of compensation has been revised by the respondent-TANGEDCO and a sum of Rs.2 lakhs was enhanced to Rs.5 lakhs. Thus, this Court is inclined to grant compensation based on the current TANGEDCO proceedings No.6, Administrative Branch, dated 16.10.2019, considering the mitigating circumstances of the family who lost its breadwinner.

8. In view of the facts and circumstances, the respondents 1 to 3 are directed to pay a sum of Rs.5 lakhs along with interest at the rate of 6% per annum from the date of death till the date of payment, to the petitioner, within a period of eight weeks from the date of receipt of a copy



of this order. The grant of compensation at the TANGEDCO proceedings on compassionate ground is not a bar for the petitioner to seek enhancement of compensation by instituting a civil suit before the Competent Civil Court of Law by establishing negligence and other factors.

9. With the above directions, the present writ petition stands allowed. However, there shall be no order as to costs.

09-02-2024

Index : Yes/No
Internet: Yes/No
Speaking order/Non-Speaking order
Neutral Citation : Yes/No
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S.M.SUBRAMANIAM, J.

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