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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 29.07.2024

CORAM

THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P.No.29499 of 2023

Mrs.Samundishwari Elango

.... Petitioner

Vs

1.The Chairman

Tamil Nadu Generation and Distribution Corporation Ltd.,
No.144, Anna Salai,
Chennai – 02.

2.The Assistant Executive Engineer (O & M),

Arni Division,
Tamil Nadu Generation and Distribution Corporation Ltd.,
Arni Town, T.V.Malai District.

3.The Assistant Executive Engineer (O & M),

Arni Rural Division,
Tamil Nadu Generation and Distribution Corporation Ltd.,
Arni Town, T.V.Malai District.

.... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to pay adequate compensation to the petitioner for untimely death of Mr.Dinesh Kumar due to electrocution on 02.05.2023 due to the negligence of the respondents.

For Petitioner

: Ms.M.Dhivya



W.P.No.29499 of 2023

For Respondent : Ms.Daniel Mary
Standing Counsel

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ORDER

Read this order in continuation of and in conjunction with order dated 15.07.2024 that reads as follows:

The petitioner seeks compensation for the untimely death of her minor child on account of electrocution on 02.05.2023.

2. Without adverting to the details involved in the matter, petitioner is permitted to appear before R1 / Chairman, TANGEDCO on 22.07.2024 at 12.00 noon. The fixation of the date has been done after obtaining concurrence from the respondent counsel as to the availability of R1 in office on that date and time.

3. Let necessary orders be passed on humanitarian ground bearing in mind TANGEDCO proceedings No.6 dated 16.10.2019, which provides compensation of Rs.5 lakh for fatal accident.

4. List under the caption 'for compliance' on 29.07.2024.

2. Today, proceedings of Tangedco in letter No.EE/O&M/Arni/F.Accident Docket/D.No.0119/2024, dated 26.07.2024 are placed on file reading as follows:

With reference to the above, sanction was accorded by the Chief Engineer/Distn/Thiruvannamalai for payment of sum of Rs.5,00,000/- (Rupees Five Lakhs Only) towards accident compensation etc., as per the order of Hon'ble High Court of Madras in W.P.No.29499 of 2023 filed by the mother of the deceased, Tmt.E.Samundeeshwari, order dt:15.07.2024 vide reference (4) cited in respect of the Non-Departmental fatal electrical accident of (Late) Minor E.Dinesh Kumar S/o Elangoven, No.191/C, Sakthi nagar, Ariyapadi Village, Arni Taluk, Thiruvannamalai District on 02.05.2023.



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Request letter with the following documents were produced by Tmt.E.Samundeeshwari on 26/07/2024 for accident compensation.

1. Individual Application, 2.Death Certificate, 3. Legal heir certificate, 4.Post Mortem report, 5. Bank Pass Book, 6. Aadhar Card, 7.Pan Card, 8. Rs.200/- Indemnity Affidavit.

Received documents are enclosed and submitted herewith for kind further actipn please.

3. Learned counsel for the petitioner would agree with the position that the petitioner had appeared before the respondents and that they have sanctioned a sum of Rs.5.00 lakhs towards accident compensation. The communication from the petitioner dated 26.07.2024 to this effect is also placed on file by the respondents.

4. Respondents seek six (6) weeks outer time limit to pay over the compensation of Rs.5.00 lakhs and they are granted the same. They will ensure that there is no delay and that the time limit of six weeks granted is only an outer time limit, which should not be breached under any circumstances.

5. In light of the aforesaid, as the object of the Writ Petition stands achieved, the same is closed. No costs.

29.07.2024

Index : Yes / No

Speaking order: Yes

Neutral citations: Yes

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Dr.ANITA SUMANTH,J.

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To

- 1.The Chairman
Tamil Nadu Generation and Distribution Corporation Ltd.,
No.144, Anna Salai,
Chennai – 02.
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Tamil Nadu Generation and Distribution Corporation Ltd.,
Arni Town, T.V.Malai District.
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