



W.P.No.30395 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.10.2024

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.30395 of 2024

Shanmugapriya

... Petitioner

Vs.

- 1.The State of Tamil Nadu,
Represented by the Chief Secretary,
Government of Tamil Nadu,
Secretariat,
St.George Fort,
Chennai-600 009.
- 2.The Principal Secretary,
Government of Tamil Nadu,
Tamil Nadu Electricity Board Limited,
NPKRR Maligai,
No.144, Anna Salai,
Chennai-600 002.
- 3.The Chief Superintending Engineer,
TANGEDCO,
Tamil Nadu Generation and Distribution Corporation,
Adambakkam Division,
X6J2+H2V, Vanjinathan Street,
Velnagar, Adambakkam,
Chennai-600 088.



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4.The District Collector,
Chennai District,
Chennai-600 001.

5.The Tahsildar,
Alandur Taluk,
Chennai.

6.The Commissioner,
Chennai Municipal Corporation,
Rippon Building,
Chennai.

7.Mythili

....Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the respondents 2 and 3 to pay by way of compensation to the above-named petitioner Rs.1,00,00,00,000/- (Rupees One Crore only) for the negligence that has led to the amputation of the petitioner's above-named son V.Mugilarasu Perumal's right hand from the level of his arm and a toe on his left leg and the right leg, for the injuries sustained on his abdomen with an abnormality in the movement of his left hand as well and consequently, direct the sixth respondent to institute appropriate legal action against the above-named seventh respondent for her negligence from preventing the electrocution sustained by the petitioner's above-named son V.Mugilarasu Perumal under all events on the basis of the petitioner's representation dated 09.09.2024.



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For Petitioner : Mr.B.N.Raja Mohamed
For Respondents : Mr.Yokesh Kannadasan
Special Government Pleader
for R1, R2, R4 and R5
Mr.L.Jai Venkatesh for R3
Mr.S.Vanitha Joice Rani for R6

ORDER

This Writ Petition has been filed to direct the respondents 2 and 3 to pay compensation of Rs.1,00,00,00,000/- (Rupees One Crore only) to the petitioner for the negligence that has led to the amputation of the right hand of the petitioner's son, namely, V.Mugilarasu Perumal, from the level of his arm and a toe on his left leg and the right leg, for the injuries sustained on his abdomen with an abnormality in the movement of his left hand and direct the sixth respondent to take appropriate legal action against the seventh respondent for her negligence from preventing the electrocution sustained by the petitioner's son on the basis of the petitioner's representation dated 09.09.2024.



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2. The case of the petitioner is that on 29.08.2020, the petitioner's son, who was three years old and was playing at the balcony of the house rented by the seventh respondent, came in contact with a low lying high tension electricity wire that was stamped very close with the balcony of the house, without any requisite safety measures, due to which, the right hand of the petitioner's son from the level of his arm was amputated and a toe on his left leg and the right leg were also amputated and he sustained injuries on his abdomen with an abnormality in the movement of his left hand and therefore, the petitioner made a representation on 09.09.2024 to the respondents 1 to 7 by registered post claiming compensation to the tune of Rs.1,00,00,00,000/- (Rupees One Crore only) for the negligence on the part of the respondents 3 and 7 and to take legal action against the seventh respondent, however, the same has not been considered so far. Therefore, the petitioner has filed the present writ petition with the aforesaid prayer.



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3. The learned counsel appearing for the petitioner would submit that it would suffice, if the respondent Nos.2, 3 and 6 are directed to dispose of the representation of the petitioner, dated 09.09.2024 on merits and in accordance with law, within a specified period.

4. The learned Special Government Pleader appearing for the respondents 1, 2, 4 and 5 and the learned counsel appearing for the third respondent and the learned counsel appearing for the sixth respondent have no serious objection for such an order being passed by this Court.

5. Considering the limited request made by the learned counsel for the petitioner, this Court, without going into the merits of the matter, directs the respondent Nos.2, 3 and 6 to consider the representation of the petitioner, dated 09.09.2024 and pass appropriate orders, on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order, under the Tamil Nadu Private Clinical Establishments Regulation Act, 1997.



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6. With the above direction, this Writ Petition is disposed of. There shall be no order as to costs.

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NCC: Yes / No
Index : Yes / No
Speaking Order : Yes / No
ssb

To

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