



WEB COPY



W.P.No.35507 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.04.2024

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.35507 of 2023

Meharajbanu

... Petitioner

Vs.

1. The Chairman Cum Managing Director,
TANGEDCO,
144, Anna Salai,
Chennai-600 002.

2. The Chief Engineer, Distribution,
TANGEDCO, Erode Region,
No.948, E.V.N. Road,
Erode-638 009.

3. The Superintending Engineer, TANGEDCO
Gobichettipalayam Electricity Distribution Circle,
Tirupur main road, Vettaikaran Kovil,
Gobi 110/11KVSS Campus,
Nagadevanpalayam (Po),
Gobi-638 476.

4. The Executive Engineer
Sathyamangalam, TANGEDCO, D.No.33A,
4.Siva Complex, Athani Road,
Sathyamangalam-638 401.

5. The Assistant Executive Engineer,
West Sathyamanagalam,
TANGEDCO, D.No.2, Karatur Road,
Sathyamangalam-638 402.

... Respondents



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Prayer :- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus, to direct the respondents to pay just and reasonable compensation of a sum of Rs.5,00,000/- (Rupees Five Lakhs only) for the death of petitioner's husband late J.Peer Mohammed (deceased) at the age of 34 years due to electrocution.

For Petitioner : Mr.Gowtham Thilak for
Mr.Sharath Chandran

For Respondents : Ms.A.Arathi for
Mr.I.Syed Sibghatulla

ORDER

The writ petition has been instituted seeking a direction to the respondents to pay a compensation of a sum of Rs.5,00,000/- (Rupees Five Lakhs).

2. The husband of the petitioner, late J.Peer Mohammed, died due to electrocution when an overhead electrical line in the Karatoor Road Flower Market, Sathyamangalam, came into contact with his body. The husband of the petitioner, at the time of his death, was aged about 34 years. The chemical analysis report ascertained the cause of death as electrocution which was followed by cerebrocranial injury and its complications and that the mes viscera did not contain any alcohol or poison.



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3. The report of the Inspector of Police also reveals that the death of the husband of the petitioner occurred due to electrocution. When the death due to the electrocution has been established beyond any pale of doubt, the respondent Board is liable to pay the compensation based on the Board proceedings. The compensation on compassionate grounds are ordered by the board in its proceedings. The said compensation is unconnected with the other claims of the petitioner which can be made under relevant statutes.

4. The learned counsel for the respondent strenuously objected that the petitioner is not entitled for compensation. However, the respondent could not able to rebut the fact that the husband of the petitioner died due to electrocution.

5. In the present case, the death due to electrocution has not been disputed by the respondents and therefore, the respondents are liable to pay a sum of Rs.5,00,000/- (Rupees Five Lakhs) to the petitioner towards compensation.

6. Accordingly, the respondents are directed to pay a sum of



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Rs.5,00,000/- (Rupees Five Lakhs) along with the interest at the rate of 6% per annum from the date of death of the petitioner's husband, till the date of payment, within a period of eight (8) weeks from the date of receipt of a copy of this order. The compensation awarded in this writ petition is not a bar for the petitioner to seek enhancement of compensation by establishing the negligence on the part of the Board by approaching the competent civil court of law.

7. Thus, the Writ petition stands allowed. However, there shall be no order as to costs.

02.04.2024

Index : Yes
Speaking Order
Neutral Citation : Yes
(sha)



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S.M.SUBRAMANIAM. J.,

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