



WEB COPY

W.P.No.28189 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.01.2024

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THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.28189 of 2018

P.Ambika

... Petitioner

Vs.

1. The Chairman,
Tamil Nadu Electricity Board,
Anna Salai, Chennai.
2. The Chief Superintending Engineer,
Tamil Nadu Electricity Board,
Villupuram & District.
3. The Superintendent Engineer,
Tamil Nadu Electricity Board,
Kallakurichi,
Villupuram District.
4. The Executive Engineer,
Tamil Nadu Electricity Board,
Kallakurichi,
Villupuram District.
5. The Assistant Engineer,
Tamil Nadu Electricity Board,
Sadaiyampattu Village,
Kallakurichi Taluk,
Villupuram District.

... Respondents



W.P.No.28189 of

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to pay a sum of Rs.10,00,000/- towards compensation for the death of the petitioner's husband, caused by electrocution due to the negligence of the respondents.

For Petitioner : Mr.S.Kanmani
For Respondents : Mrs.Daniel Mary,
SC for TANGEDCO

ORDER

The writ petition has been instituted to direct the respondents to pay a sum of Rs.10,00,000/- towards compensation for the death of the husband of the petitioner.

2. On 23.06.2012 at about 3:15 P.M. the husband of the petitioner had gone to their agricultural land for the purpose of irrigation. A live electrical wire was snapped and fell down on the husband of the petitioner. He got electrocuted and died on the spot.

3. The petitioner states that at the time of the death of her husband, a compliant was lodged and a Criminal Case was registered in Crime No.685



of 2012 under Section 174 Criminal Procedure Code. The Death of the petitioner's husband due to electrocution was not disputed by the Board. Therefore, the petitioner is entitled for the compensation as per the Board proceedings. As on date of the death of the husband of the petitioner, the compensation payable to the victim was a sum of Rs.2,00,000/-. However, the Board enhanced the compensation in TANGEDCO proceedings No.6 (Administrative Branch) dated 16.10.2019 from Rs.2,00,000/- to Rs.5,00,000/- for fatal. Pursuant to the interim order granted by this Court on 03.12.2018, a sum of Rs.2,00,000/- has been paid to the petitioner.

4. Mr.S.Kanmani, learned counsel for the petitioner would submit that the petitioner has got three school going children, so the compensation as per the Board proceedings dated 16.10.2019 is to be granted.

5. Considering the penurious circumstances of the family and also the fact that the petitioner has to look after her three children and due to the death of the breadwinner the family suffered, this Court is inclined to grant a revised compensation of Rs.5,00,000/- as per the Board proceedings dated 16.10.2019.



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6. Since the petitioner had already received a sum of Rs.2,00,000/-, the respondents are directed to pay balance compensation amount of Rs.3,00,000/- along with the interest of 6% per annum from the date of death of the husband of the petitioner till the date of the payment. The said amount is directed to be settled within a period of eight (8) weeks from the date of receipt of a copy of this order. The grant of compensation on the Board proceedings will not be a bar for the petitioner to approach the Civil Court for the purpose of enhancement of compensation in the manner known to law.

7. With the above directions, this Writ Petition stands allowed. No costs.

31.01.2024

Jeni
Index : Yes
Speaking order
Neutral Citation : Yes



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To

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S.M.SUBRAMANIAM, J.

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