



C.M.A(MD)No. 78 of 2021

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.02.2024

CORAM

THE HON'BLE MRS.JUSTICE S.SRIMATHY

C.M.A(MD)No.78 of 2021

1.The Assistant Engineer (O & M),
Tamil nadu Electricity Board,
Sithayankottai,
Athoor Taluk,
Dindigul District.

2.The Superintending Engineer,
Dindigul Electricity Distribution Circle,
Tamil Nadu Electricity Board,
Dindigul, Dindigul District.

... Appellants

Vs.

1.K.Periyasamy

2.Mallika

... Respondents

PRAYER: Civil Miscellaneous Appeal is filed under Section 30 of Employees Compensation Act, 1923, against the award, dated 17.12.2019, passed in E.C.No. 7 of 2018, on the file of the Commissioner of Employees Compensation (Joint Commissioner of Labour), Dindigul.

For Appellants : Mr.B.Ramanadhan
For Respondents : Mr.N.Karthick Kanna



C.M.A(MD)No. 78 of 2021

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JUDGMENT

The Civil Miscellaneous Appeal is filed by the TANGEDCO.

2. The only contention raised by the TANGEDCO is that the deceased person was not an employee of TANGEDCO. The claimants have not filed any piece of evidence to prove the employer-employee relationship. On perusing the order and the evidence, it is seen that the claimants have filed only FIR, death certificate, legal heir certificate and family card.

3. However TANGEDCO is bound to pay compensation for any electrocution death. Their own Board Proceedings states that they are bound to pay Rs.5,00,000/- for any electrocution death. It is seen that the Joint Commissioner of Labour has awarded only Rs.8,78,880/- and the same is fair and just compensation.

4. It is seen that the Joint Commissioner of Labour has awarded 12% interest per annum. It is further seen that the claimants had received an amount of Rs.3,00,000/- from the Chief Minister Relief Fund. Therefore, this Court is confirming Rs.8,78,880/-, however with 7% interest and the interest is reduced in



C.M.A(MD)No.78 of 2021

lieu of the compensation granted from the Chief Minister Relief Fund.

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5.The appellants are directed to deposit Rs.8,78,880/- with interest at the rate of 7% per annum and costs to the credit Joint Commissioner of Labour, Dindigul, on the file of Commissioner of Employees Compensation, Dindigul, less the amount already deposited, if any, within a period of eight weeks from the date of receipt of a copy of this judgment. On such deposit, the claimants are permitted to withdraw their equal shares with proportionate accrued interests and costs, less the amount already withdrawn by them, if any, by filing appropriate application.

6.With the above said observation, the Civil Miscellaneous Appeal is partly allowed. No costs.

21.02.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

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C.M.A(MD)No. 78 of 2021

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1. Commissioner of Employees Compensation,
(Joint Commissioner of Labour),
Dindigul.
2. The Section Officer,
Vernacular Section,
Madurai Bench of Madras High Court,
Madurai.



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C.M.A(MD)No.78 of 2021

S.SRIMATHY, J.

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C.M.A(MD)No.78 of 2021

21.02.2024