



W.P.(MD)No.27551 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.11.2024

CORAM:

THE HONOURABLE **MR.JUSTICE G.K.ILANTHIRAIYAN**

W.P.(MD)No.27551 of 2024

M.Sundaram

... Petitioner

/Vs./

- 1.The State of Tamil Nadu,
Rep. by its Principal Secretary to Government,
Energy Department,
Secretariat,
Chennai - 600 009.
 - 2.The District Collector,
Collectorate Campus,
Karur,
Karur District.
 - 3.The Chairman Cum Managing Director,
Tamil Nadu Generation and Distribution Corporation Limited,
No.144, Anna Salai,
Chennai - 600 002.
 - 4.The Assistant Executive Engineer,
Tamil Nadu Generation and Distribution Corporation Limited,
Nachalur,
Kulithalai Taluk,
Karur District.
- ... Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents to pay the remaining compensation amount of Rs.1,70,000/- as per the recommendation made by the State Human Rights Commission in SH RC Nos. 6185 of 2018 and 4403 of 2013 vide its common order dated 04.06.2020 along with interest at the rate of 9 percent per annum for the entire compensation amount of Rs.6,70,000/- from the date of death of petitioner's father i.e. on 24.10.2015 and cost of this petition within the time frame that may be stipulated by this Court.

For Petitioner : Mr.R.Murugan

For Respondents : Mr.S.Shanmugavel (R1 & R2)
Additional Government Pleader
Mr.S.Deenadhayalan (R3 & R4)
Standing Counsel

ORDER

This writ petition has been filed for a direction to the respondents 3 and 4 herein to comply with the order passed by the State Human Rights Commission in SH RC Nos. 6185 of 2018 and 4403 of 2013 vide its common order dated 04.06.2020.



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2. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

3. Heard the learned counsel on either side and perused the materials placed before this Court.

4. The petitioner's father was an agriculturalist and he owned an agriculturalist land, wherein electricity connection was provided with motor pump-sets. Due to wire disconnection, he had informed the officials of the Electricity Department requesting to restore the power supply, who in turn, informed him that the electricity power was disconnected and instructed him to clear the green plants to restore the electric supply. While his father was cleaning the green plants, there was electricity supply and as such, he was electrocuted and died. A criminal case was also registered in Crime No.737 of 2015 for the offence punishable under Section 304 (a) of IPC on the file of the Inspector of Police, Kulithalai Police Station, Karur District.



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5. In the meanwhile, the petitioner filed a petition seeking compensation before the State Human Rights Commission. The State Human Rights Commission also awarded compensation to the tune of Rs.6,70,000/- to be payable by the respondents 3 and 4 to the petitioner. However, the petitioner was paid only a sum of Rs.5,00,000/- so far, and the remaining amount of Rs.1,70,000/- has not yet been paid. Therefore, the petitioner approached this Court in WP(MD)No.19262 of 2021 and this Court, by order dated 20.04.2023 directed the officials to consider the representation submitted by the petitioner and to pass orders for paying the compensation within a period of three weeks from the date of receipt of the representation. Till date, the order of this Court dated 20.04.2023 passed in WP(MD)No.19262 of 2021 has not yet been complied with.

6. The learned standing counsel appearing for the respondents 3 and 4 would submit that the State Human Rights Commission has no jurisdiction to pass an award by way of compensation for electrocution.



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7. Admittedly, the respondents 3 and 4 failed to challenge the order dated 04.06.2020 passed by the State Human Rights Commission and it is still in force. Infact, this Court, by order dated 20.04.2023, already directed the respondents 3 and 4 to consider the representation submitted by the petitioner seeking disbursal of the compensation within a period of three weeks. Even till today, the representation submitted by the petitioner has not yet been considered and the remaining award amount has also not been disbursed to the petitioner.

8. In view of the above, the respondents 3 and 4 herein are directed to disburse the remaining amount of Rs.1,70,000/- (Rupees One Lakh and Seventy Thousand only) to the petitioner, within a period of two weeks from the date of receipt of a copy of this order. This writ petition is disposed of accordingly. No costs.

19.11.2024

Index : Yes / No
NCC : Yes / No
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G.K.ILANTHIRAIYAN, J.

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TO:-

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- 2.The District Collector,
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- 3.The Chairman Cum Managing Director,
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Order made in
W.P.(MD)No.27551 of 2024

Dated:
19.11.2024