



W.P.(MD)No.17159 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **12.12.2024**

CORAM:

THE HONOURABLE **MR.JUSTICE K.KUMARESH BABU**

W.P.(MD)No.17159 of 2017

Jeyalakshmi

... Petitioner

Vs.

1. The State of Tamil Nadu,
Rep.By its Secretary,
Department of Energy,
Fort St.George,
Chennai 600 009.

2. The Chairman,
TANGEDCO, (Formerly Tamil Nadu Electricity Board),
No.800, Anna Salai,
Chennai 600 002.

3. The Commissioner,
Corporation Of Chennai Ripon Buildings,
Chennai 600 003.

4. The Inspector of Police,
T-9 Pattabiram Police Station,
Pattabiram,
Chennai 600 072.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of mandamus directing the respondents 1 to 3 herein to consider the representation of the petitioner dated 21.04.2017 claiming



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compensation to the tune of Rs. 50,00,000/- (Rupees fifty lakhs only) for the death of petitioner's son Sakthi Mariappan, by electrocution.

For Petitioner : Mr.K.Appadurai
For Respondents : Mr.R.Sureshkumar (R1)
Additional Government Pleader
Mr.S.Deenadhayalan (R2)
No appearance (R3)
Ms.M.Aasha (R4)
Government Advocate

ORDER

This writ petition has been filed seeking for a direction to the respondents to consider the representation of the petitioner dated 21.04.2017, wherein he had sought for compensation for the death of his son, who died due to electrocution.

2. Heard the learned counsel on both sides and carefully perused the entire materials available on record.

3. It is the case of the petitioner that there was a fluctuation in the electrical line passing by the side, where the petitioner's son was working, which had caused the death.



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4. The learned standing counsel appearing for the second respondent would contend that the incident had occurred in a private building, for which the department could not be held responsible.

5. The learned counsel appearing for the fourth respondent has produced the charge sheet filed on the complaint with regard to the incident, which indicates that the building owner was responsible for the accident.

6. In such view of the matter, even if a direction is given to the second respondent to consider the representation of the petitioner, no fruitful results in favour of the petitioner could be made.

7. In view of the same, this writ petition is disposed of with liberty to the petitioner to approach appropriate civil Court seeking compensation against the person, who is liable for the incident. If the petitioner approaches the appropriate civil Court, the period of pendency of the writ petition shall stand excluded while calculating the limitation period for initiating a suit. There shall be no order as to costs.

12.12.2024

NCC : Yes / No
Index : Yes / No



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K.KUMARESH BABU, J.

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TO:-

1. The Secretary,
Department of Energy,
Fort St.George,
Chennai 600 009.
2. The Inspector of Police,
T-9 Pattabiram Police Station,
Pattabiram,
Chennai 600 072.

Order made in
W.P.(MD)No.17159 of 2017

Dated
12.12.2024