



CMP(MD) No.16413 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Monday, the Fourth day of March Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice D.KRISHNAKUMAR
and
The Hon`ble Mr.Justice P. DHANABAL

CMP(MD) No.16413 of 2023
in
WA(MD) SR.No.85035 of 2023

1 THE CHAIRMAN CUM MANAGING DIRECTOR,
TAMIL NADU GENERATION AND DISTRIBUTION CORPORATION LTD.,
(TANGEDCO),
144, ANNA SALAI, CHENNAI - 600 002.

2 THE SUPERINTENDING ENGINEER,
TAMIL NADU GENERATION AND DISTRIBUTION CORPORATION LTD.,
(TANGEDCO),
SIVAGANGAI DISTRICT.

3 THE EXECUTIVE ENGINEER,
O/O. THE EXECUTIVE ENGINEER OFFICE,
SIVAGANGAI ELECTRICITY DISTRIBUTION,
SIVAGANGAI.

... PETITIONERS/ APPELLANTS

Vs

1 RANI

2 THE INSPECTOR OF POLICE,
SIVAGANGAI TOWN POLICE STATION,
SIVAGANGAI DISTRICT.
(CRIME NO.546 OF 2019)



CMP(MD) No.16413 of 2023

3 THE SECRETARY TO GOVERNMENT,
HOME DEPARTMENT,
GOVERNMENT OF TAMILNADU,
CHENNAI - 600 009.

4 THE DISTRICT COLLECTOR,
SIVAGANGAI DISTRICT.

... RESPONDENTS/RESPONDENTS

Civil Miscellaneous Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to Condone the Delay of 265 days in filing the Writ Appeal against the order dated 22.11.2022 in W.P.(MD).No.9618 of 2020.

Prayer in WA(MD) SR.No.85035 of 2023 :

To allow the Writ Appeal and set aside the order dated 22.11.2022 in WP(MD) No.9618 of 2020.

Prayer in WP(MD). 9618/ 2020 :

To issue a WRIT OF MANDAMUS or any other writ or order in the nature of writ directing the Respondents No 1 to 3 to pay a sum of Rs.50,00,000 (fifty lakhs only) by way of compensation for electrocution to the Petitioners bedridden husband namely Arun Kumar aged 22 years, within a stipulated time that may be fixed by the Hon`ble Court.

ORDER : This Civil Miscellaneous petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.P.MALINI, Advocate for M/S.AGAM LEGAL for the petitioner and of MR.R.GANESH PRABHU, Advocate on behalf of the 1st Respondent and MR.VEERANTHIRAN, Government Advocate on behalf of the 2nd Respondent and MR.S.P.MAHARAJAN, Special Government Pleader on behalf of the Respondent Nos.3 & 4, the court made the following order:-

(Order of the Court was made by D.KRISHNAKUMAR, J.)

This petition is filed to condone the delay of 265 days in filing the W.A.[MD]

SR.No.85035 of 2023.



CMP(MD) No.16413 of 2023

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2.The petitioners have filed a better affidavit before this Court explaining the reasons for condoning the delay.

3.We have carefully gone through the explanations as stated in the said affidavit filed by the petitioners.

4.Eventhough the learned Counsel for the respondents objected for condoning the delay, this Court is satisfied with the detailed reasons stated in the affidavit filed in support of this petition for condoning the delay.

5.Accordingly, this petition is allowed and the delay of 265 days in filing the appeal is condoned on payment of Rs.2,000/- to the first respondent. However, learned Counsel for the first respondent insisted that the cost of Rs.2000/- is inadequate and requested this Court to impose heavy cost on the petitioners.

6.Accepting the request made by the learned Counsel for the first respondent, this Court imposes a cost of Rs.5000/- payable to the first respondent within a period of two [2] weeks from today [ie.,04.03.2024].

sd/-
04/03/2024

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/03/2024
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.



CMP(MD) No.16413 of 2023

TO

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1 THE INSPECTOR OF POLICE,
SIVAGANGAI TOWN POLICE STATION,
SIVAGANGAI DISTRICT.

2 THE SECRETARY TO GOVERNMENT,
HOME DEPARTMENT,
GOVERNMENT OF TAMILNADU,
CHENNAI - 600 009.

3 THE DISTRICT COLLECTOR,
SIVAGANGAI DISTRICT.

ORDER

IN

CMP(MD) No.16413 of 2023

in

WA(MD) SR.No.85035 of 2023

Date :04/03/2024

RS/VR/SAR-(07.03.2024) 4P 4C

Madurai Bench of Madras High Court is issuing
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