



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-06-2025

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CORAM

THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

WP No. 16033 of 2025

LAKSHMI

Petitioner(s)

Vs

1. The Chairman
TANGEDCO Head Office,
No.144, Anna Salai,
Chennai-600 002

2.The Superintendent Engineer Cum Public
Grievance Redressal Officer,
TANGEDCO, Thiruvallur Electricity
Distribution Circle,
Thiruvallur

3.The Executive Officer
TANGEDCO, Kanchipuram Electricity
Distribution Circle,
Kanchipuram -631 502

4.The Junior Engineer
TANGEDCO Office, Ganesapuram,
Manavala Nagar, Thiruvallur-602 002

Respondent(s)



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PRAYER Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to the order passed by the 3rd respondent order in Ku.No.60/Ne P3/Udhavi 1/Ko.E.Tho./2024-6, dated 29.11.2024 and quash the same consequently to enhance the compensation amount and direct the respondents to pay the enhanced compensation to the petitioner within specific period of time fixed by this Court.

For Petitioner(s): Mr.D.Magesh

For Respondent: Mr.L.Jaiganesh
Standing Counsel

ORDER

This writ petition has been filed challenging the impugned proceedings of the 3rd respondent dated 29.11.2024 and for a consequential direction to the respondents to pay the enhanced compensation to the petitioner.

2.Heard Mr.D.Magesh, learned counsel appearing on behalf of the petitioner and Mr.L.Jai Venkatesh, learned Standing Counsel appearing on behalf of the respondents.



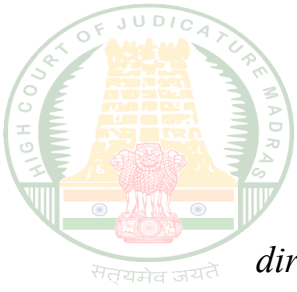
3. The petitioner filed earlier writ petition in W.P.No.14859 of 2021 before this Court and this writ petition was disposed of by an order dated 17.04.2021

and the relevant portions are extracted hereunder:

This writ petition has been filed for direction to the respondents to pay compensation of Rs.10,00,000/- for the permanent disability sustained by the petitioner due to electrocution on 09.06.2016.

2. The petitioner owned two cows. While she was crossing her cows while crossing the ridge of coovam river, there was low electric line and she got electrocuted, due to which her left hand was amputated. On the complaint, FIR has been registered in crime No.298 of 2016 on the file of the Inspector of Police, Tiruvallur Taluk Police Station. Therefore, the petitioner submitted representation seeking compensation from the respondents.

3. The learned Standing Counsel appearing for the respondents submitted that admittedly it is a non fatal case and as such, she is entitled for maximum compensation of Rs.1,00,000/-. Therefore, the claim made by the petitioner will be considered in due course.



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4. In view of the above submission, the respondents are directed to consider the claim of the petitioner seeking compensation and disburse the compensation which she is entitled in accordance with law within a period of four weeks from the date of receipt of copy of this order. 5. With the above direction, this writ petition is disposed of. Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

4. Pursuant to the above order, a sum of Rs.1 Lakh was paid to the petitioner and the impugned proceedings dated 29.11.2024 came to be issued by the 3rd respondent.

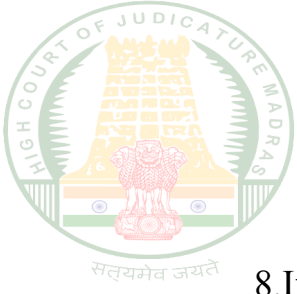
5. The grievance of the petitioner is that the 3rd respondent has wrongly interpreted the order passed by this Court and confined the compensation only to a sum of Rs.1 Lakh to the petitioner. According to the petitioner, she lost her hand due to electrocution and that this Court did not confine the amount of compensation to Rs.1 Lakh and that the petitioner is entitled for a higher compensation. Therefore, the petitioner has challenged the impugned proceedings of the 3rd respondent dated 29.11.2024 which confined the amount of compensation of Rs.1 Lakhs.



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6. The learned Standing Counsel appearing on behalf of the respondents submitted that as per the prevailing Government Order, the petitioner was entitled only for a maximum compensation of Rs.1 Lakh. The learned Standing Counsel further submitted that this amount was enhanced only in the year 2024 and such enhancement will not enure in favour of the petitioner and it will not relate back to the date of the accident of the petitioner which took place in the year 2016. It was therefore submitted that whatever compensation to which the petitioner was entitled under the relevant Government Order was paid to the petitioner.

7. In the considered view of this Court, the petitioner has been paid the compensation to which she is entitled under the relevant Government Order. The 3rd respondent did not confine the compensation amount to Rs.1 Lakh based on the orders passed by this Court and what was paid to the petitioner was in fact the one that was provided under the relevant Government Order. Obviously, the subsequent Government Order enhancing the compensation cannot have a retrospective effect.



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8.If the petitioner is not satisfied with the quantum of compensation, the petitioner has to necessarily file a suit before the competent Court and seek for enhancement of compensation. Except giving this clarity and liberty, no further orders can be passed in this writ petition.

9.This writ petition is disposed of in the above terms. No Costs.

02-06-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

SSR



To
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N.ANAND VENKATESH J.

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