

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-06-2025

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CORAM

THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

WP No. 12544 of 2025

GAYATHIRI

D/o.Late.Paramasivam,
Aandikarai Village,
Nariyanur Post-636 458
Mettur Taluk, Salem District.

Petitioner(s)

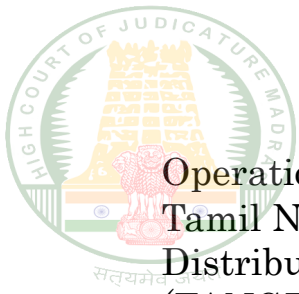
Vs

1. The Chairman Cum Managing
Director
Tamil Nadu Generation And
Distribution Corporation Ltd.,
(TANGEDCO)
N.P.K.R.R. Maligai,
Anna Salai, Chennai-600 002.

2.The Superintending Engineer,
Tamil Nadu Generation And
Distribution Corporation Ltd.,
(TANGEDCO)
Dharmapuri-636 705, Dharmapuri
District

3.The Executive Engineer
Operation and Maintenance (O & M)
Tamil Nadu Generation and
Distribution Corporation Ltd.,
(TANGEDCO)
Dharmapuri 636 705, Dharmapuri
District.

4.The Assistant Executive Engineer



Operation & Maintenance (O & M)
Tamil Nadu Generation and
Distribution Corporation Ltd
(TANGEDCO)
Pennagaram-636 810, Dharmapuri
District.

5.The Assistant Engineer
Operation And Maintenance (O & M)
Tamil Nadu Generation And
Distribution Corporation Ltd
(TANGEDCO)
Eriyur-636 810, Dharmapuri District.

Respondent(s)

PRAYER

Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus to direct the respondents to pay compensation a sum of Rs.25,00,000/- (Rupees Twenty Five Lakhs only) to the petitioner for the death of her father viz., Paramasivam due to the electrocution caused due to the negligence of the TANGEDCO.

For Petitioner(s): M/s.M.R. Jothimanian
C.Kavinkumar
S.Elayathamizhan

For Respondent(s): Mr.Swami Subramanian
(for R1 to R5)

ORDER

This writ petition has been filed for the issue of writ of Mandamus directing the respondents to pay compensation of a sum of Rs.25,00,000/- to the petitioner for the death of the petitioner's father due to electrocution.

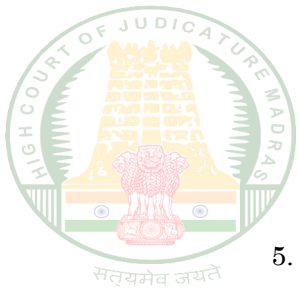


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2. Heard Mr.M.R.Jothimanian, learned counsel for the petitioner and Mr.S.Swami Subramanian, learned counsel for respondents 1 to 5.

3. The case of the petitioner is that her father is a Arasu Cable TV worker and on 27.05.2024, he came in contact with a live wire which was hanging in the electrical line post and he succumbed. According to the petitioner, the cable wire fell on the live wire and therefore, the electricity had passed on the cable wire which resulted in electrocution of the petitioner's father. The further case of the petitioner is that the villagers have repeatedly complained that the maintenance is not properly done and that the electric wires are hanging without proper protection. Under such circumstances, the petitioner has filed the present writ petition seeking for payment of compensation.

4. The respondents have filed a counter affidavit and the relevant portions are extracted hereunder :-

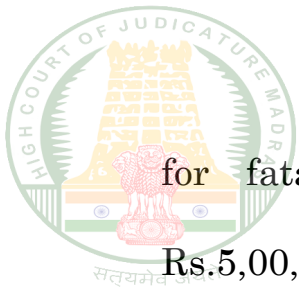


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5. I humbly submit that the writ petitioner has without any due protection engaged in repairing the cable wire and within his bare hands has pulled the wire due to which the cable wire has touched the electric line and electricity passed from the electric wire to cable wire and he was electrocuted. It is submitted that the negligence is attributed to the petitioner's father who without any protection has applied force in pulling the cable wire leading it to touch the electric wire. Therefore, the electricity board is not liable for the electrocution death of the petitioner's father.

6. I humbly submit that the writ petitioner has sent a representation dated 28.02.2025 seeking for compensation and a reply was sent by the 2nd respondent dated 28.04.2025 stating that there is no negligence of the electricity board and the electrocution is only due to the negligent act of the petitioner's father by pulling the cable wire and it getting into contact with the live electric line.

5. In the considered view of this Court, the respondents have taken a stand that there was no negligence on the part of the electricity department and the accident had taken place only due to the negligence on the part of the petitioner's father. It is not necessary for this Court to go into this disputed fact since it requires appreciation of evidence. It will suffice if this Court relies upon the TANGEDCO proceedings No.6 dated 16.10.2019 and the revised proceedings No.11 dated 21.12.2024. As per the revised proceedings,



for fatal cases, the compensation has been enhanced from Rs.5,00,000/- to Rs.10,00,000/-. This revised proceedings has come into effect from 25.11.2024. In the case in hand, the accident had taken place on 27.05.2024. Hence, this Court is inclined to rely upon the TANGEDCO proceedings dated 16.10.2019 and direct the 3rd respondent to pay a compensation of Rs.5,00,000/- to the petitioner. This payment shall be made to the petitioner within a period of six weeks from the date of receipt of a copy of this order. If the petitioner is not satisfied with the compensation amount, it is left open to the petitioner to approach the Civil Court and seek for enhancement of compensation.

6. This writ petition is disposed of with the above directions.

No costs.

27-06-2025

rka

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No



To

1. The Chairman Cum Managing
Director

Tamil Nadu Generation And
Distribution Corporation Ltd.,
(TANGEDCO)

N.P.K.R.R. Maligai,
Anna Salai, Chennai-600 002.

2. The Superintending Engineer,
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WP No. 12544 of 2025



N.ANAND VENKATESH J.
rka

WP No. 12544 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-07-2025

CORAM

THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

WP No. 12544 of 2025

GAYATHIRI

Petitioner(s)

Vs

1. The Chairman Cum Managing Director
Tamil Nadu Generation And Distribution
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Nadu Generation And Distribution
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Respondent(s)

ORDER



This matter came up today under the caption 'For Being Mentioned'.

Learned counsel for the petitioner mentioned that, in the order dated 27.06.2025 in Page No.5 paragraph No.5, the following corrections have to be made. In line 5, the words 'direct the 3rd respondent', has to be replaced with the word '**respondents**' and in line 7, the word 'made by' has to be replaced with the words '**made to**'.

2. Accordingly, the relevant portion of the order shall be reworded as follows.

" Hence, this Court is inclined to rely upon the TANGEDCO Proceedings dated 16.10.2019 and direct the respondents to pay a compensation of Rs.5,00,000/- to the petitioner. This payment shall be made to the petitioner within a period of six weeks from the date of receipt of a copy of this order."

3. Registry is directed to carry out the above corrections and issue fresh order copy to the parties on 07.07.2025.

04.07.2025

KST

N.ANAND VENKATESH, J.

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W.P.No.12544 of 2025

04.07.2025