



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 13-11-2025**

CORAM

**THE HONOURABLE MR JUSTICE M.DHANDAPANI**

**WP No. 17002 of 2024**

Panneerselvam  
S/o.Kannappan, 36A, Thiruvalluvar  
City, Phase III, Mangadu, Chennai-122.

Petitioner

Vs

1. The Chairman  
The Tamil Nadu Electricity Board  
/TANGEDCO, 144, Anna Salai,  
Chennai-002.
- 2.The Assistant Engineer  
T.N.E.B, Mangadu, Chennai - 122.
- 3.The District Collector  
Kancheepuram District, Kancheepuram.

Respondent(s)

**PRAYER**

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 1 to 3 to consider and to pass suitable compensation as prayed for in the notice dated 17.03.2024.

For Petitioner : K.Venkatesan

For Respondents: M/s. L.Jai Venkatesh, Standing  
Counsel for R1, R2  
Mrs.S.Anitha, Special  
Government Pleader for R3



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**ORDER**

This writ petition has been filed, directing the respondents 1 to 3 to consider and to pass suitable compensation as prayed for in the notice dated 17.03.2024.

2. The case of the petitioner is that the petitioner is a resident of Thiruvalluvar City, Phase III, Mangadu and a tenant in the said premises. On 03.12.2023, there was heavy rain and a cyclone occurred. At that time, the petitioner, his wife and their three sons were in the house. His elder son, Madan Prasath, and younger son, Yuvan Shankar along with one Manoj, were standing near the first floor windows. Suddenly, an electricity pole connection carrying a high-tension wire fell and touched the windows of the petitioner's rented building, where his sons Madan Prasath and Yuvan Shankar were standing. The high-voltage electricity passed through the windows and doors, and they were electrocuted. When his wife came to rescue their sons, she was also electrocuted and thrown to the floor. In that incident, the petitioner's two sons died on the spot and his wife sustained several injuries. They were taken to the hospital. The Mangadu police registered a case in Crime No.1099 of 2023 under Section 174 of Cr.P.C. However, till date, no compensation has been paid to the petitioner in terms of the Board proceedings. Challenging the same, the present writ petition



has been filed.

3. The learned counsel for the petitioner would submit that this Court may issue a direction to the respondents to pay necessary compensation in terms of Board proceedings No.6, dated 16.10.2019. As per the said Board proceedings, the victim's family is entitled to Rs.5,00,000/- as ex gratia payment payable on compassionate grounds in respect of Fatal, Non-departmental, Mechanical/Electrical accidents to human beings. In the present case, the accident is a non-departmental accident to a human being. Hence, the petitioner is entitled to receive the compensation. Accordingly, he prayed for appropriate orders.

4. The learned standing counsel for the respondents 1 & 2 filed a counter affidavit, in which it is stated as follows:

para.5: The said HT Line is erected within the safety measures as prescribed under the Indian Electricity Rules. Rule 80 of the said Rule lays down as follows:

*Rule-80- Clearances from building of high and extra-high voltage lines:-*

*(2) The horizontal clearance between the nearest conductor and any part of such building shall, on the basis of maximum deflection due to wind pressure, be not less than-*

|                                                                                          |                   |
|------------------------------------------------------------------------------------------|-------------------|
| <i>(a) for high voltage lines upto and including 11,000 volts</i>                        | <b>1.2 meters</b> |
| <i>(b) For high voltage lines above 11,000 volts and upto and including 33,000 volts</i> | <b>2.0 meters</b> |



(c) For extra-high voltage lines

2.0 meters plus 0.3 metre for every additional 33,000 volts for part thereof.

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*1[Explanation – For the purpose of this rule expression “building” shall be deemed to include any structure, whether permanent or temporary].*

The clearance of the said line from the building of the petitioner house currently is 4 feet (1.2 m) of Horizontal Clearance. The disputed line was erected in accordance with safety Regulations at the time of erection of the HT line. The disputed line was erected about 10 years back and the petitioner’s house was constructed after the erection of the line.

*Para. 6:*

The fact as to that the disputed 11 KV HT Line fell down due to the MIGJAM Cyclone and touched the windows of the petitioner’s house due to which the petitioner’s son was electrocuted is hereby specifically denied. It is submitted that the said fact as alleged by the petitioner is false as the Feeder Breaker didn’t trip. There won’t be supply of electricity upon the trip of the Feeder and there will be no chance of getting electrocuted. Further, upon enquiry and inspection it was found that, the deceased Mr.Yuvan Sankar has voluntarily caught hold of the 11 KV HT Line due to which he suffered electrocution, and Mr.Madan Prasad who came in rescue of him also suffered injuries and died. Further, Mr.Manoj and Mrs. Eswari (mother of the deceased) who came to their rescue also sustained injuries. The sketch of the petitioner house prepared upon inspection showing the position of the disputed HT Line is enclosed herewith.



5. Heard the learned counsel on either side and perused the records.

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6. The facts of the case are not in dispute. Admittedly, the petitioner's sons died due to electrocution while they were standing near the windows. The petitioner claims that, due to improper maintenance, the electric line passed closed to the windows, resulting in the electrocution of his two sons. The respondents, however, contend that one of the persons touched the live wire, which led to the death of both individuals.

7. However, on perusal of the Board proceedings No.6 dated 16.10.2019, TANGEDCO decided to pay exgratia payment payable on compassionate grounds in respect of non-departmental accidents involving human beings. In the present case, as it is a non-fatal accident, the petitioner is entitled to receive compensation from the respondents.

8. In view of the above, this Court is inclined to direct the respondents to pay a compensation of Rs.5,00,000/- each, to both sons of the petitioner, within a period of four (4) weeks from the date of receipt of a copy of this order. If the petitioner seeks higher compensation, he is at liberty to approach the District Legal Aid Services Authority under the Victim Compensation Scheme.



9. With the above directions, this writ petition stands disposed of. No costs.

**13-11-2025**

Index: Yes/No  
Speaking/Non-speaking order  
Internet: Yes  
Neutral Citation: Yes/No

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To

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The Tamil Nadu Electricity Board  
/Tangedco, 144, Anna Salai, Chennai-  
002.
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**M.DHANDAPANI J.**  
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