



W.P(MD)Nos.1235, 1236 & 1237 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.01.2025

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P(MD)Nos.1235, 1236 & 1237 of 2023

and

W.M.P(MD)Nos.1142, 1144 & 1145 of 2023

T.Vasanth

... Petitioner in all W.Ps'

Vs

1.The Chairman,
Tamil Nadu Electricity Generation and
Distribution Corporation (TANGEDCO),
Anna Salai,
Chennai - 600 002.

2.The Superintendent Engineer,
Tamil Nadu Electricity Generation and
Distribution Corporation (TANGEDCO),
Meenakshi Nayakanpatti,
By-Pass Road,
Dindigul.

3.The Assistant Divisional Engineer,
Tamil Nadu Electricity Generation and
Distribution Corporation (TANGEDCO),
Gandhigramam at Chinnalapatti,
Aathur Taluk,
Dindigul District.

4.The District Collector,
Dindigul District,
Dindigul.

... Respondents in all W.Ps'

PRAYER in W.P(MD)No.1235 of 2023: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus directing the respondents to pay a sum of Rs.25,00,000 as



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compensation to the petitioner along with 7.5% interest from the date of death of the petitioner's husband viz. Thiruppathi S/o.Singaiyan aged 45 years till the date of realization within the time stipulated by this Court.

PRAYER in W.P(MD)No.1236 of 2023: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus directing the respondents to pay a sum of Rs.25,00,000 as compensation to the petitioner along with 7.5% interest from the date of death of the petitioner's son viz. Vijaya Ganapathi, S/o.Thiruppathi aged 17 years till the date of realization within the time stipulated by this Court.

PRAYER in W.P(MD)No.1237 of 2023: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus directing the respondents to pay a sum of Rs.25,00,000 as compensation to the petitioner along with 7.5% interest from the date of death of the petitioner's son viz. Santhosh S/o.Thiruppathi aged 15 years till the date of realization within the time stipulated by this Court.

In all W.Ps:

For Petitioner	: Mr.I.Robert Chandrakumar
For RR 1 to 3	: Mr.S.Deenadhayalan
For R - 4	: Mr.D.Gandhi Raj Special Government Pleader



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COMMON ORDER

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These Writ Petitions have been filed by the petitioner for a direction directing the respondents to pay compensation of Rs. 25,00,000/- each with interest for the death of the petitioner's husband and two sons.

2.Heard the learned counsel appearing on either side and perused the materials placed before this Court.

3.The petitioner along with her family members owned a house admeasuring 16 X 15 feet situated at Door No.98, Middle Street, Chettiyapatti, Aathur Taluk, Dindigul District and also obtained electricity service connection and the meter has been installed by a separate electrical pole. There is no space to install the meter box in the house constructed by the petitioner and it is a small one. After obtaining electricity connection, the petitioner tied up a wire from the said electric pole to her house to dry the clothes. While being so, there was heavy rain during night hours on 30.09.2021 and also heavy wind. Due to which, there was electricity leakage passing through the wire tied up between the electric pole



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and her house. The next day on 01.10.2021 at about 8 a.m., without knowing the same, the petitioner's husband went to take off a towel which was already kept in the said wire and got electrocuted. While two sons of the petitioner went to rescue their father, they also were electrocuted and died on the spot. Now the petitioner claimed compensation as if there is a high tension line over the service connection wire and due to heavy wind, it had fallen down on the wire which was tied up between the petitioner's house and the electric place and due to which there was electricity power. Therefore only due to negligence on the part of the respondents by not maintaining the high-tension electric wire in a proper manner, the petitioner's husband and two sons got electrocuted and died.

4.On perusal of the photographs and also on the submissions made by the learned counsel appearing for the respondents 1 to 3 would reveal that the petitioner tied up a wire between her house and electric post in which the meter box was fixed for the petitioner's electricity service connection. The high-tension electric line is going far away from the petitioner's service connection from the electric pole. That apart, there is no evidence



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to show that a high tension line had fallen down on the said wire.

There was an electric leakage from the petitioner's service connection wire and it passed through the wire tied up between the petitioner's house and the electricity pole. Therefore no question of negligence on the part of the respondents 1 to 3. However as (Per.) (FB) TANGEDCO Proceedings No.6, Administrative Branch, dated 16.10.2019, in the case of fatal as the *exgratia* payment payable in compensation ground, the petitioner is entitled for a sum of Rs. 5,00,000/- for each fatal. It is also clear that there is no negligence on the part of the respondents 1 to 3 for the cause of death of the petitioner's husband and two sons. However, as (Per.) (FB) TANGEDCO Proceedings No.6, Administrative Branch, dated 16.10.2019, the petitioner is entitled for compensation for a sum of Rs.5,00,000/- each for the fatal accident.

5. Accordingly, the second respondent is directed to pay compensation of Rs.5,00,000/- each for the demise of the petitioner's husband and two sons in the light of (Per.) (FB) TANGEDCO Proceedings No.6, Administrative Branch, dated 16.10.2019, within a period of four weeks from the date of receipt of a copy of this order.



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6.With the above directions, these Writ Petitions are allowed. There shall be no order as to costs. Consequently, connected Miscellaneous Petitions are closed.

22.01.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes
ps



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To

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G.K.ILANTHIRAIYAN, J.

ps

Order made in
W.P(MD)Nos.1235, 1236 & 1237 of 2023

22.01.2025