



W.P.(MD)No.21997 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 18.11.2025

CORAM:

THE HON'BLE MS.JUSTICE P.T.ASHA

W.P.(MD).No.21997 of 2019

and

W.M.P(MD)No.18749 of 2019

Muthukumar

... Petitioner

Vs.

1. The Superintendent Engineer,
Distribution, TANGEDCO,
Thiyagaraja Nagar,
Palayamkottai,
Tirunelveli-627002

2. The Assistant Engineer,
Distribution, TANGEDCO,
Kalankarai Road,
Shenkottai
Tirunelveli-627809

3. The District Collector,
Tirunelveli District
Tirunelveli.

... Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondents to pay a sum of Rs.10,00,000/-(Ten Lakhs) as Compensation to the petitioner under the principles of strict liability for the death of the Petitioners daughter by electrocution caused due to the negligence of the Respondents.

For Petitioner : Mr.S.Selva Aditya
for M/s.G.Prabhu Rajadurai

For R1 and R2 : Mr.S.Deenadhayalan
Standing Counsel

For R3 : Mrs.S.Jeya Priya
Government Advocate

ORDER

The above writ petition has been filed for the following relief:-

“Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondents to pay a sum of Rs.10,00,000/-(Ten Lakhs) as Compensation to the petitioner under the principles of strict liability for the death of the Petitioners daughter by electrocution caused due to the negligence of the Respondents. ”



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2. The facts as set out in the affidavit filed in support of the writ petition reads as under:-

The petitioner would submit that his daughter namely Gayathri, got electrocuted and was thrown away while playing outside. Immediately, the petitioner's daughter was admitted to the Tenkasi Government Hospital but unfortunately she died. Subsequent to her death, a case was registered under Section 174 of the Indian Penal Code in FIR No.30 dated 27.01.2019 and a final report has also been submitted on 27.01.2019.

3. He would submit that there was no proper maintenance of the electric pole, due to the negligence of the respondents officials, which caused the death of her daughter. Therefore, he sent a representation dated 23.09.2019 seeking compensation for a sum of Rs.10,00,000/- for the death of her daughter. However, no action has been taken to date. Aggrieved by the same, the petitioner is before this Court.



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4. Per contra, in the counter affidavit filed by the 1st respondent it is stated that the petitioner is not entitled for any compensation as the incident had happened only due to the petitioner's daughter shaking the GI Pipe which was erected by the consumer for the purpose of supporting insulated service wire.

5. By way of rejoinder, the learned counsel appearing for the petitioner would submit that the said GI Pipe was installed by the Electricity Board Officials to circulate electricity from the poles in the opposite side road of the road. He would further submit that the installation of GI Pipe using an iron rod is a negligent act on the part of the respondents.

6. Heard the learned counsel on either side.

7. In view of the above narration showing the negligence on the part of the respondent in reflecting the electric lines and installing lines in a negligent manner, the respondents officials are directed to pay a compensation to the petitioner for a sum of Rs.2,00,000/- along with 6% interest from the date of the petition till the date of the payment. The said



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exercise shall be completed within a period of four (4) weeks from the date of receipt of a copy of this order.

8. With the above directions, the writ petition stands partly allowed.

No costs. Consequently, connected miscellaneous petition is closed.

18.11.2025

NCC :yes/No
Index :yes/No
Internet:yes/No
rgm

To

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