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W.P.No.2396 of .

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 02.02.2026

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THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No. 2396 of 2025

M.Nishanthi

...Petitioner

Vs.

1.The Principal Secretary to the Government,
Energy and Electricity Department,
Secretariat,
Fort St. George,
Chennai – 600 009.

2.The Chairman cum Managing Director,
Tamil Nadu Electricity Generation
and Distribution Corporation,
144, Anna Salai,
Chennai - 600 002.

3.The Chief Engineer (Distribution),
Tamil Nadu Electricity Generation
and Distribution Corporation,
Coimbatore Region,
Tatabad,
Coimbatore – 641 012.

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4.The Superintending Engineer,
Tamil Nadu Electricity Generation
and Distribution Corporation,
Mettupalayam Bus Stop,
PN Road,
Tiruppur - 641 602.

5.The Executive Engineer,
TANGEDCO,
Avinashi EB Office Complex,
Mangalam Road,
Avinashi - 641 654,
Tiruppur District.

...respondents

Prayer: Writ Petition is filed under Section 226 of the Constitution of India for issue of Writ of Mandamus, directing the respondents to pay compensation of Rs.30,00,000/- for the death of the petitioner's son M.Sree Suthiesh (aged 13 years) who died on 13.07.2024 by accidentally coming in contact with an inaptly insulated and live electric pole by considering her representation dated 09.08.2024.

For Petitioner : Mr. R.T.Vishnu



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For Respondent : Mr. V.Jeevagiridharan
1 Additional Government Pleader

For Respondents : Mr. L.Jaivenkatesh
2 to 5 Standing Counsel
TNEB.

ORDER

This writ petition is filed for the following relief:

“To direct the respondents to pay compensation of Rs.30,00,000/- for the death of the petitioner's son M.Sree Suthiesh (aged 13 years) who died on 13.07.2024 by accidentally coming in contact with an inaptly insulated and live electric pole by considering her representation dated 09.08.2024.”

2. The petitioner would submit that on 13.07.2024, her son was playing with his friends. While so, he had accidentally came into contact with an improperly insulated white painted Iron pole, which was erected to prevent the sagging of electric transmission lines. As a result, the petitioner's son was electrocuted by the live current passing



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through the inaptly insulated pole and fell down unconsciously.

Immediately, he was taken to the nearby hospital, wherein it was advised to take him to the Government Hospital.

3. Accordingly, the petitioner's son was taken to the Government Medical College and Hospital, Tiruppur. But, the petitioner's son passed away and his body was sent for postmortem. Thereafter, an FIR in Crime No. 469 of 2024 dated 13.07.2024 under Section 194 of the Criminal Procedure Code was registered. The petitioner would submit that her son died on account of the negligence on the part of the respondent corporation.

4. Thereafter, the petitioner submitted a representation to the respondents seeking compassionate appointment in the respondent corporation and compensation to the tune of Rs.30,00,000/-. Since there is no response on the side of the respondents, the petitioner is before this Court.



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5. The 5th has filed a counter for a self and on behalf of the respondents 2 to 4. It is their contention that on inspection they found that the service line extending from the nearest electric pole to the petitioner's premises was sagging and in order to correct the sagging, the petitioner has himself had inserted an iron pipe. Thereafter, her son had come into contact with this pole and had got electrocuted. This iron rod has been inserted without the Board's permissions. As soon as the incident was reported the pole was removed. Further, the sagging was never reported to the respondent. The respondent further relied on Regulation 29 (17) to contend that the obligation to safeguard the electrical installations like wire / cable etc., connected to the meter from the nearest pole / pillar box is with the consumer.

6. The respondents have also admitted that the electric cable line from the pole to the petitioner's premises was sagging and to support the same the petitioner had inserted an iron rod. The petitioner with a good intention has done so to avoid people coming into contact with the live wire. The respondents who are duty bound to keep visit have



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failed and they cannot shift the blame upon the petitioner. Therefore, there is a contributory negligence on the Board. Further, Section 68 of the Electricity Act and Rule 91 of the Electrical Rules lay down the procedure of the safety and protective devices to be provided for overhead electric lines erected over any part of the street or public place or any consumer's premises.

7. Heard the learned counsels on the either side and perused the records.

8. Section 68 of the Electricity Act and Rule 91 of the Electrical Rules are extracted herein below:

“Section 68. (Provisions relating to Overhead lines): ---- (1) An overhead line shall, with prior approval of the Appropriate Government, be installed or kept installed above ground in accordance with the provisions of sub-section (2).

(2) The provisions contained in sub-section (1) shall not apply- (a) in relation to an electric line which has a



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nominal voltage not exceeding 11 kilovolts and is used or intended to be used for supplying to a single consumer; (b) in relation to so much of an electric line as is or will be within premises in the occupation or control of the person responsible for its installation; or (c) in such other cases, as may be prescribed.

(3) The Appropriate Government shall, while granting approval under subsection (1), impose such conditions (including conditions as to the ownership and operation of the line) as appear to it to be necessary.

(4) The Appropriate Government may vary or revoke the approval at any time after the end of such period as may be stipulated in the approval granted by it.

(5) Where any tree standing or lying near an overhead line or where any structure or other object which has been placed or has fallen near an overhead line subsequent to the placing of such line, interrupts or



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interferes with, or is likely to interrupt or interfere with, the conveyance or transmission of electricity or the accessibility of any works, an Executive Magistrate or authority specified by the Appropriate Government may, on the application of the licensee, cause the tree, structure or object to be removed or otherwise dealt with as he or it thinks fit.

(6) When disposing of an application under sub-section (5), an Executive Magistrate or authority specified under that sub-section shall, in the case of any tree in existence before the placing of the overhead line, award to the person interested in the tree such compensation as he thinks reasonable, and such person may recover the same from the licensee.

Explanation. - For the purposes of this section, the expression “tree” shall be deemed to include any shrub, hedge, jungle growth or other plant.



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91. Safety and protective devices-

(1) Every overhead line, (not being suspended from a dead bearer wire and not being covered with insulating material and not being a trolley-wire) erected over any part of street or other public place or in any factory or mine or on any consumers' premises shall be protected with a device approved by the Inspector for rendering the line electrically harmless in case it breaks.

(2) An Inspector may by notice in writing require the owner of any such overhead line wherever it may be erected to protect it in the manner specified in sub-rule(1).

1[(3) The owner of every high and extra-high voltage overhead line shall make adequate arrangements to the satisfaction of the Inspector to prevent unauthorised persons from ascending any of the supports of such overhead lines which can be easily climbed upon without the help of a ladder or special appliances. Rails, reinforced cement concrete poles and pre-stressed cement concrete poles without steps, tubular poles, wooden supports without



steps, I sections and channels shall be deemed as supports which cannot be easily climbed upon for the purpose of this rule.]

9. Rule 30 (1) and (2) of the Indian Electricity Rules reads as follows:

(1)The supplier shall ensure that all electric supply lines, wires, fittings and apparatus belonging to him or under his control, which are on a consumer's premises are in safe condition and in all respects fit for supplying energy and the supplier shall take due precautions to avoid danger arising on such premises from such supply lines, wires, fittings and apparatus.

(2)Service lines placed by the supplier on the premises of a consumer which are underground or which are accessible shall be so insulated and protected by the supplier as to be secured under all ordinary conditions against electrical, mechanical, chemical or other injury to the insulation.”

All of these provision highlight the care to be taken by the



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respondent board to insulate the lines from causing any mishap.

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10. The Hon'ble Supreme Court in the Judgement reported in **(2014) 15 SCC – Raman Vs. Uttar Haryana Bijli Vitran Nigam Limited**, has awarded a sum of Rs.60,00,000/- as compensation to a 5 year old boy who died of electrocution. The learned Judges observed that the electrocution had occurred only on account of the respondents not providing the safety measures to see live electric wires should not fall on the roof of the building but following the Rules to protect the lives of the public in the residential area. They had gone on to uphold the compensation granted by the Single Judge with modification.

11. In the case on hand, it can be stated that the petitioner has also equally contributed to the electrocution by inserting an iron pole and not ensuring that the sagging lines are corrected. Though in the judgement cited supra where the victim who was 5 years had been awarded a compensation of Rs.60,00,000/-, however, in the instant case the petitioner has only sought for a compensation of Rs.30,00,000/- as the petitioner is also contributorily negligent for the incident, the



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respondents are directed to pay a compensation of Rs.15,00,000/- to the petitioner, within a period of 4 weeks from the date of receipt of a copy of this order. No costs.

02.02.2026

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P.T. ASHA, J

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