



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-04-2026

CORAM

THE HON'BLE MR JUSTICE KRISHNAN RAMASAMY

WP No. 32365 of 2022

Sountharapandian

..Petitioner

Vs

1. The Chairman,
Tamil Nadu Generation of Electricity and
Distribution Corporation(TANGEDCO),
Anna Salai,
Chennai - 600 002.
2. The Superintending Engineer,
Tamil Nadu Generation of Electricity and
Distribution Corporation (TANGEDCO),
Villupuram District,
Villupuram.
3. The Assistant Executive Engineer,
Tamil Nadu Generation of Electricity and
Distribution Corporation (TANGEDCO),
Villupuram District,
Villupuram.

..Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents to pay compensation for a sum of Rs. 15, 00, 000/- for the electrocution death of his deceased wife Roja on 31.12.2020 based on the petitioner's representation dated 14.07.2022 within stipulated time that may be fixed by this Court forthwith.



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For Petitioner :

Mr.D.S.Thirumavalavan

For Respondents:

Ms.Daniel Mary, Standing Counsel

ORDER

The Writ of Mandamus has been instituted to direct the respondents to pay compensation of a sum of Rs.15,00,000/- for the electrocution death of his deceased wife Roja on 31.12.2020 based on the petitioner's representation dated 14.07.2022 within the stipulated time that may be fixed by this Court.

2. The learned counsel for the petitioner would submit that electric wire was snapped and fell on petitioner's gate and thereby the petitioner's wife had touched the gate and due to electrocution she died on the spot. The brother-in-law of the deceased had touched the gate in which the snapped wire was lying and got electrocuted and passed away. The petitioner's wife made an attempt to rescue her brother-in-law, but, he already got electrocuted. Consequently the electricity passed on the petitioner's wife and she also died. According to the petitioner, the main reason for electrocution was due to snapping of wire and falling on the gate and it is purely due to the negligence on the part of the respondents. Since the respondents have maintained the wire in a very poor state of affairs, this accident has occurred. He would further submit that the petitioner's wife was 23 years at the time of accident and she left behind her two years old daughter along with the husband, who made a representation for compensation.



3. The learned Standing Counsel for the respondents would submit that the cause of electrocution is not due to the snapped electricity wire falling on the gate, but it was due to the piling of GI wires on the gate, thereby the snapped wire formed a circuit and electrified the gate, which resulted in the accident. If the GI wires were not stacked on the gate, the gate would not have been electrified. Therefore, he would submit that the respondents are no way responsible for the accident.

4. This Court has considered the submissions made by the learned counsel for the petitioner and the learned Standing Counsel for the respondents.

5. Whether the petitioner stacking the gate with GI wire was the cause for the snapped wire to electrify the gate is not an issue before this Court. The issue is whether the negligence on the part of the respondents, had ultimately resulted in snapping of the electricity wire and fell down on the gate. The maintenance of the electricity wire is the responsibility of the respondents. When the wire was in a poor state of affair, it is for the respondents to inspect and maintain the same and change it periodically. Due to negligence on the part of the respondents they failed to maintain the electricity wire in a proper way by conducting periodical inspection, which ultimately resulted in snapping of the wire and falling down on the gate. Due to which electricity passed on the gate.



The brother-in-law of the deceased touched the gate and got electrocuted and the petitioner's wife made an attempt to rescue him and she also got electrocuted. The cause for the electricity shock was not known to the deceased petitioner's wife, that is the reason why she made an attempt to rescue her brother-in-law.

6. From the above facts, this Court arrives at a conclusion that the accident has not occurred due to the negligence on the part of the deceased. On the other hand, the negligence was purely on the part of the respondents, as they failed to maintain the electricity wire, which ultimately had resulted in the said accident. Therefore, the respondents are responsible to pay the compensation.

7. At this juncture, the learned Standing Counsel for the respondents would submit that for electrocution death cases, the respondents would pay a fixed amount of Rs.5,00,000/- as compensation.

8. The said fixed compensation is paid over by the respondents in the uncontested matters. But, in the present case, the petitioner has contested the matter and claims a compensation over and above Rs.5,00,000/-. The deceased was aged about 23 years at the time of the accident. The accident took place in the year 2020. In the event if the deceased was alive, she would have earned a sum of Rs.15,000/-. Thus, a nominal income of Rs.15,000/- per month is fixed.



1/3rd of the earnings is reduced for the purpose of personal expenses and at least she would have saved a sum of Rs.10,000/-. In the event of motor vehicle accident case, the multiplier applied for 23 years of age is '18'. Even if the deceased was a house wife, a nominal income of Rs.15,000/- is fixed. Thus, the compensation is to be arrived as follows:-

$$\begin{aligned} & \text{Rs.15,000/-} \times 18 \times 12 \times \frac{2}{3} \\ & = \text{Rs.21,60,000/-} \end{aligned}$$

9. Thus, even without including consortium and other expenses, the compensation arrived at is Rs.21,60,000/-. However, the learned Standing Counsel for the respondents would submit that in the present case, the maximum compensation claimed by the petitioner is only a sum of Rs.15,00,000/-. Therefore, the compensation may be restricted to Rs.15,00,000/-.

10. Considering these aspects, certainly the petitioner is entitled for a compensation of not less than Rs.15,00,000/-. Considering the date of accident and the date of representation by the petitioner seeking compensation i.e., 14.07.2022, the respondents are liable to pay a compensation of a sum of not



less than Rs.15,00,000/- as determined by this Court. Thus, this Court directs the respondents to determine the compensation payable to the petitioner within a period of four (4) weeks from the date of receipt of a copy of this order and pay the compensation, within a period of four (4) weeks thereafter. In the event of failure on the part of the respondents to determine and pay the compensation within the time period fixed by this Court, the respondents are liable to pay interest from the date of accident till the date of payment.

11. As far as the brother-in-law of the deceased is concerned this Court has already directed to dispose of the representation, where this Court has directed to fix the compensation at a sum of not less than Rs.5,00,000/-. However, the respondents are required to determine the compensation by taking into consideration minimum wages and multiplier based on the age factors and determine the compensation in the said case also. Since no quantification was made in the said matter, it would not mean that the brother-in-law would be entitled to minimum amount of compensation, still the respondents are required to determine the compensation in the said case on merits and in accordance with law. Whereas in the present case, the plea raised by the petitioner is to determine the compensation over and above Rs.5,00,000/-, this Court considered the request and passed the above orders.



12. With the above directions, this Writ Petition is **disposed of.** No costs.

16-04-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

DSA

To

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KRISHNAN RAMASAMY, J.

DSA

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