



W.A.(MD)No.767 of 2026

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **01.06.2026**

CORAM:

**THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR
AND
THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN**

W.A.(MD)No.767 of 2026

P.Thenkarai Maharajan

...Appellant

Vs.

1.The Chairman,
Tamil Nadu Electricity Board,
800, Anna Salai, Chennai-2.

2.The Superintending Engineer/Kanyakumari,
Parvathipuram,
Kanyakumari EDC, Nagercoil,
Kanyakumari District.

3.The Executive Engineer/Nagercoil,
Parvathipuram,
Kanyakumari EDC, Nagercoil,
Kanyakumari District.

4.The Assistant Executive Engineer (O.M.),
TNEB,
Boothapandy Sub-Division,
Kanyakuamri District.

...Respondents

PRAYER:- Writ Appeal – filed under Clause 15 of the Letters Patent, to set aside the common order passed in W.P.(MD)No.23249 of 2017 dated 12.12.2024.



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For Appellant : Mr.C.T.Perumal
For Respondent : Mr.S.Deenadhalayan (R1 to R4)
Standing Counsel

JUDGMENT

(Judgment of the Court was delivered by **N.SATHISH KUMAR, J.**)

Challenging the order of the learned Single Judge dismissing the writ petition, in and by which the claim of compensation for the alleged negligence on the part of the respondent was rejected, the present writ appeal has been preferred.

2.It is the case of the writ petitioner/appellant that his son was electrocuted when he had come into the contact with HT electric cables, which are very close to the residence of the writ petitioner. Despite repeated representations made to the authorities, no action has been taken by the respondent to shift the electric poles, which resulted in electrocution of his son. However, FIR has been forged by the respondent as if the petitioner's son was electrocuted at the time when he attempted to take the electricity line illegally for running his shop. Hence, the writ petition was filed seeking compensation.



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3.The learned Single Judge found that an FIR had been registered and that the contents of the FIR clearly indicates that the petitioner's son was electrocuted while attempting to illegally steal electricity for his shop. The learned Single Judge therefore concluded that there was no negligence on the part of the respondent Electricity Board and dismissed the writ petition.

4.The learned counsel for the appellant would submit that FIR has been registered as if the deceased at the time of attempting to steal electricity from a high-tension wire, suffered electrocution. According to the appellant, the same itself clearly indicates that FIR has been fabricated by the police officials.

5.Be that as it may, we are of the view that such disputed questions of fact cannot be adjudicated in the writ proceedings under Article 226 of the Constitution of India. Once an FIR has been registered by the competent authorities, it forms part of the public record.



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6.If the appellant seeks to establish that FIR is fabricated and that the death of his son occurred only due to the negligence on the part of the respondent and not because of any act of the deceased, it is open to him to establish the same before the competent civil Court by adducing appropriate evidence.

7.In view of the above, we find no reason to interfere with the order passed by the learned Single Judge. Accordingly, the writ appeal is dismissed. There shall be no order as to costs.

[N.S.K., J.] & [M.J.R., J.]
01.06.2026

Index :Yes/No
Internet :Yes
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