



W.P.(MD).No.5626 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 16.08.2023

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD).No.5626 of 2021

R.Palanichamy

... Petitioner

Vs.

- 1.The Superintendent Engineer,
Tamil Nadu Electricity Board (TNEB),
Sivagangai District.
- 2.The Executive Engineer,
Tamil Nadu Electricity Board (TNEB),
Sivagangai.
- 3.The Assistant Executive Engineer,
Tamil Nadu Electricity Board (TNEB),
Kalayarkovil,
Sivagangai District.
- 4.The Assistant Engineer,
Tamil Nadu Electricity Board (TNEB),
Nattarasankottai,
Sivagangai District.

5.Periyasamy

... 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 No. 1 to 4 to remove the electricity pole erected on the petitioner's patta land i.e., land in Survey No.69/5, Pudukiluvachi Village Group, Karungali Village, Kalayarkovil Taluk, Sivagangai District along with the cable wires and other adjuncts therein and restore the land to its original form and to provide electricity connection to the fifth respondent on any alternative route.

For Petitioner : Mr.V.Kannan

For R-1 to R-4 : Mr.S.Deenadhayalan,
Standing Counsel.

For R-5 : No Appearance

ORDER

This Writ Petition is filed for Mandamus, directing the respondents No. 1 to 4 to remove the electricity pole erected on the petitioner's patta land, in Survey No.69/5, Pudukiluvachi Village Group, Karungali Village, Kalayarkovil Taluk, Sivagangai District along with the cable wires and other adjuncts therein and restore the land to its original form and to provide electricity connection to the fifth respondent on any alternative route.



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2. The contention of the petitioner is that the said land was used for agricultural purposes. The respondents without getting any permission from the petitioner has erected the electric pole which is crossing the petitioner's agricultural land, thereby it is hampering the agricultural activities. The petitioner further submitted that atleast it shall be straightened, so that the damages to the petitioner's land would be minimized.

3. Therefore, this Court directs the respondents to consider the petitioner's objection and grant personal hearing and pass orders. If there is any third parties rights, the respondents shall issue notice to the said third party, conduct personal hearing and thereafter pass speaking order. The said exercise shall be completed within a period of eight (8) weeks from the date of receipt of a copy of this order.

4. In view of the above, this Writ Petition is allowed. There shall be no order as to costs.

16.08.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
Nsr



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S.SRIMATHY, J.

Nsr

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