



W.P. (MD).No.10682 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 18.10.2023

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

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A.Ayyavu

... Petitioner

Vs

1. The Executive Engineer (East),
TANGEDCO, Thiruppalai, Madurai-14.
2. The Assistant Executive Engineer (Distribution),
TANGEDCO, Alagarkovil, Maudrai District.
3. Backiyam
4. Sivan

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents 1,2 to consider the representations of the petitioner, dated 03.04.2021 and 19.04.2021 and cause the 3rd and 4th respondents to commensurate the petitioner towards the expenses caused for transmission line and erection of poles.



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For Petitioner : Mr. S.Siva Ilayaraja
For Respondents : Mr.S.Deenadhayalan(R1, R2)
Standing Counsel
Mr.M.Solaisamy (R3, R4)

ORDER

This Writ Petition has been filed for issue of writ of mandamus directing the respondents 1 and 2 to consider the representations made by the petitioner, dated 03.04.2021 and 19.04.2021 and to compensate the petitioner towards the expenses incurred by him for erecting poles and drawing the transmission line.

2.Heard the learned counsel appearing for the petitioner, the learned Standing Counsel appearing for the respondents 1 and 2 and the learned counsel appearing for the respondents 3 and 4.

3.The case of the petitioner is that he had paid a sum of Rs.59,005/- for erection of four electricity poles in order to get electricity connection. It is further claimed by the petitioner that he had spent nearly Rs.1,29,000/- for getting the electricity service connection. The



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grievance of the petitioner is that based on the poles that have been erected on the amount that was spent by the petitioner, others were also attempting to get electricity service connection. In view of the same, the petitioner has made his objection. Since the same was not considered, the present writ petition has been filed.

4. On going through the records, it is seen that on receipt of the representation, dated 03.04.2021, the second respondent through communication, dated 15.04.2021 has stated that there is only one electricity pole, which has been laid in the patta land belonging to the petitioner and the other electricity poles have been laid elsewhere and therefore, the petitioner cannot make any objection for granting electricity connection by utilising the electricity poles that have been erected elsewhere. Pursuant to this communication, the petitioner made yet another representation, dated 19.04.2021 seeking for reimbursement of amount spent by the petitioner for erection of electricity poles.

5. The learned Standing Counsel appearing on behalf of the respondents 1 and 2 submitted that the service connection has already



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been provided to the third respondent on 25.10.2021 and the fourth respondent on 25.06.2021.

6.The main grievance of the petitioner seems to be that the petitioner has spent nearly Rs.1,29,000/- for the purpose of erecting electricity poles. These electricity poles are being utilised by others in order to get service connection. Therefore, the petitioner wants him to be compensated for the expenses incurred by him for putting up the electricity poles and drawing the lines. The petitioner had incurred the expenses to enable the petitioner to get service connection. Admittedly, these electricity poles are not the properties belonging to the petitioner. That apart, if service connection is given to others from these electricity poles, the petitioner cannot raise any objection regarding the same. The petitioner does not have any legal right to seek for the reimbursement of the expenses incurred by him and there is no corresponding duty on the part of the respondents 1 and 2 to comply with the request made by the petitioner.



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7. In view of the same, this Court cannot issue a writ of mandamus in a case of this nature. The relief sought for by the petitioner cannot be granted by this Court. Accordingly, this writ petition stands dismissed. No costs.

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NCC : Yes/No
Internet : Yes/No
Index : Yes/No
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N.ANAND VENKATESH, J.

PNM

**ORDER IN
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