

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 28.04.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.12626 of 2015
and
M.P.No.1 of 2015

S.Thiyagarajan

...Petitioner

Versus

1 The Chief Engineer
Tamilnadu Electricity Board (TANGEDCO)
Anna Salai
Chennai-2

2 The Assistant Engineer
Tamilnadu Electricity Board (TANGEDCO)
M.M.D.A. Colony
Arumbakkam Chennai-106

3 Sunil

4 Sudhakar

...Respondents

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India, seeking for a writ of mandamus, forbearing the respondents 1 & 2 from shifting the Distribution Box situated on the North western side abutting the property bearing New No.41A Old No.36 Pillaiyar Koil Street (Selva Vinayagar Koil Street) Razak Garden Arumbakkam Chennai-106.

For Petitioner : Mr.A.Palaniappan

For Respondents : Mr.P.R.Dhilip Kumar
(for R1 & R2)
Standing counsel for TNEB

O R D E R

By consent, the main writ petition is taken up for final disposal.

2. The petitioner after purchasing a vacant plot, put up a construction bearing Plot No.45/38, Pillaiyar Koil Street (Selva Vinayagar Koil Street) Razak Garden Arumbakkam Chennai-106 and the adjacent owner viz. Jayaraman has occupied the part of the public road on the eastern side and constructed a temple and in this regard a civil litigation is also pending between them.

3. The grievance expressed by the petitioner is that very near to his house, the respondents 1 and 2 are making attempt to put up an electricity distribution box and in that event the breadth of the road will get further reduced and in this regard, he submitted a representation dated 13.03.2015 to the respondents 1 and 2 and though, the 2nd respondent has acknowledged it, no action has been taken and hence, filed this writ petition.

4. The learned counsel for the petitioner would submit that the superstructure put up by the petitioner is strictly in accordance with the planning permission and on account of the encroachment on the part of his neighbour the breadth and width of the road has already reduced and in the event of putting a junction box, it will be further reduced and prays for appropriate orders.

5. This Court heard the submissions of Mr. P. R. Philip Kumar, learned standing counsel, who accepts notice for the respondents 1 and 2.

6. This Court, taking into consideration the limited scope of the prayer sought for by the petitioner and without going into the merits of the representation, directs the 2nd respondent to consider the representation dated 13.03.2015, submitted by the petitioner, on merits and in accordance with law and pass orders, as expeditiously as possible and not later than six weeks from the date of receipt of a copy of this order and inform the decision taken to the petitioner.

7. The writ petition is disposed of, accordingly. No costs. Consequently, the connected Miscellaneous is closed.

Sd/-
Assistant Registrar (CS-II)

//True Copy//

Sub Assistant Registrar

ars

To

- 1 The Chief Engineer
Tamilnadu Electricity Board (TANGEDCO)
Anna Salai Chennai-2
- 2 The Assistant Engineer
Tamilnadu Electricity Board (TANGEDCO)
M.M.D.A. Colony Arumbakkam Chennai-106

1 CC to Mr.A.Palaniappan, Advocate SR.No. 23497

1 CC to Mr.P.R.Dhilip Kumar, Advocate SR.No. 23543

W.P.No.12626 of 2015

PUR (CO)
PSI (14.05.2015)



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