

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.07.2015

CORAM:

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.19170 of 2015

and

M.P.No.1 of 2015

S.Sangeeth

.. Petitioner

- Vs -

- 1 The Chairman
TANGEDCO 144 Anna Salai Chennai 2
- 2 The Chief Engineer
TANGEDCO CEDC/Chennai-North Region 144
Anna Salai Chennai 2
- 3 The Superintending Engineer
TANGEDCO CEDC/West Circle Thirumangalam
Anna Nagar West Chennai 40
- 4 The Executive Engineer (O&M)/
Anna Nagar TANGEDCO CEDC/West Circle V
Street Off Eleventh Main Road Anna Nagar
West Chennai 40
- 5 The Asst. Executive Engineer
(O & M)/Chetput TANGEDCO CEDC/West Circle
New Street Off Jagannathapuram II Street
Chetput Chennai 31
- 6 The Asst. Engineer (O & M) /
Chetput CEDC/West Circle New Street Off
Jagannathapuram II Street Chetput
Chennai 31.

.. Respondents

Prayer:- Writ Petition has been filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus forbearing the the respondents from erecting the transformer near the petitioners residential premises bearing Old No.1 New No.1 Palayam Street Aminjikai Chennai 29 and by directing the respondents to erect the proposed transformer at the alternative sites namely at the junction of the North Kasar Thottam Street and Sunnambu Kalvoy Street (Opp Post Office) or in the West Arasa Maram Street or at the Southern end of Sunnambu Kalvoy Street (river-side) in pursuant to the representation dt 10.4.2015.

For Petitioner : Mr.R.Selvakumar

For Respondents : Mr.P.R.Dhilip Kumar
Standing Counsel (TNEB)

O R D E R

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

2. The petitioner claims to be the owner of a residential premises, bearing Old No.1, New No.1, Palayam Street, Aminjikarai, Chennai - 600 029 and he sent a legal notice dated 10.04.2015, to the respondents stating that the subordinates of the Electricity Board are erecting two 33 feet RCC Poles for erection of distribution transformer adjoining the southern side wall of his house which is just 2 feet away from the main wall of the building and overhead HT jumpers and the associated switch gear will protrude into the very building by about three feet and prays for shifting of the said apparatus to some other place. The said legal notice was acknowledged by the respondents on 15.04.2015. The grievance of the petitioner is that without giving any response, attempts are being made to erect the said apparatus. Hence, he came forward to file this writ petition.

3. Heard the submissions of Mr.R.Selvakumar, learned counsel appearing for the petitioner and Mr.P.R.Dhilip Kumar, learned Standing Counsel for the TNEB accepts notice for the respondents.

4. Though the petitioner prays for a larger relief, this Court in the facts and circumstances of the case, without going into the merits of the case projected by the petitioner, directs the third respondent to consider and dispose of the said representation of the petitioner in the form of a legal notice dated 10.04.2015, on merits and in accordance with law and pass orders within a period of four weeks from the date of receipt of a copy of this order and communicate the decision taken to the petitioner. The respondents shall defer further action till then. The writ petition is disposed of accordingly. Consequently, the connected miscellaneous petition is closed. No costs.

Sd/-
Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

kk

To

- 1 The Chairman
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 - 2 The Chief Engineer
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Chetput CEDC/West Circle New Street Off
Jagannathapuram II Street Chetput
Chennai 31.
- 1 cc to M/s.R. Selvakumar, Advocate, sr. 32782
1 cc to M/s.P.R. Dhilipkumar, Advocate, Sr. 32661

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MP (CO)
kk 15/7

सत्यमेव जयते

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