

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 10.07.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.20507 of 2015
and M.P.No.1 of 2015

A.Balasubramanian

... Petitioner

Versus

- 1 The Chairman
Tamil Nadu Electricity Board NBKR Maligai
No.800 Anna Salai Chennai-2.
- 2 The Superintendent Engineer
Tamilnadu Electricity Board Chennai
Distribution Circle (North) Chennai-600 002.
- 3 The Assistant Engineer
Tamilnadu Electricity Board Vyasarpadi
Distribution Circle (North)
Vyasarpadi-600 039. ... Respondents

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India, seeking for a writ of mandamus, directing the respondents not to install the transformer in front of the entrance of the petitioners property at Door No.419 12th East Cross Street 7th Main Road M.K.B. Nagar Vyasarpadi Chennai-600 039 by considering the petitioners representation dated 29.06.2015.

For Petitioner : Mr.A.Ilaya Perumal
For Respondents : Mr.P.R.Dhilipkumar

ORDER

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

2. The petitioner claims that he along with his brother are residing at Door No.No.419 12th East Cross Street, 7th Main Road, M.K.B.Nagar, Vyasarpadi, Chennai-600 039 and the said property was purchased through a registered sale deed dated 12.04.1999, registered as Document No.1276 of 1999.

3. The petitioner would further state that on 25.06.2015, the 3rd respondent has inspected the place for the purpose of putting up a mini transformer and taking emergent steps to construct/putting up a mini transformer right in front of the entrance of his house. In this regard, the petitioner submitted a representation dated 29.06.2015 to the 2nd respondent viz., Superintending Engineer, TNEB, Chennai Distribution Circle (North), Chennai - 2 and no

orders have been passed, but, in the meanwhile the respondents 2 and 3 are proceeding with the erecting of the transformer and hence, came forward to file this writ petition.

4. Heard the submissions of the learned counsel appearing for the petitioner and Mr.P.R.Dhilip Kumar, learned standing counsel appearing on behalf of the respondents.

5. Though, the petitioner prayed for a larger relief, this Court, taking into consideration the above facts and circumstances and without going into the merits of the claim projected by the petitioner in this writ petition, directs the 3rd respondent to consider the petitioner's representation dated 29.06.2015 in accordance with law, and pass orders within a period of three weeks, from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner and till then defer decision/action erecting the transformer in front of the entrance of the petitioner's house.

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

Sd/-
Assistant Registrar

True Copy

Sub Assistant Registrar

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To

- 1 The Chairman
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No.800 Anna Salai Chennai-2.
- 2 The Superintendent Engineer
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Distribution Circle (North) Chennai-600 002.
- 3 The Assistant Engineer
Tamilnadu Electricity Board Vyasarpadi
Distribution Circle (North)
Vyasarpadi-600 039.

1 cc to Mr.P.R.Dhilipkumar , Advocate Sr.No.34942
1 cc to Mr.A.Ilaya Perumal , Advocate Sr.No.34929

W.P.No.20507 of 2015

gp (co)
pmk.28.7.2015