

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.07.2015

CORAM:

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.NO.21774 OF 2015

AND

M.P.NO.1 OF 2015

M.Sundaramoorthy

.. Petitioner

- Vs -

1. The Chief Engineer,
Chennai - North,
Tamil Nadu Electricity Board,
Anna Salai, Chennai.

2. The Assistant Engineer,
Tamil Nadu Electricity Board,
ICF Sub-Station, Chennai.

.. Respondents

Prayer:- Writ Petition has been filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the respondents to consider the petitioner's representation dated 31st March 2015 and pass suitable orders.

Petitioner : Mr.T.K.S.Gandhi

For Respondents : Mr.P.R.Dhilip Kumar

O R D E R

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

2. The petitioner states that he and his wife are the absolute owners of the ground and 1st Floor of the house bearing Door No.1/5, 3rd Street, South Tirumalai Nagar, Villivakkam, Chennai - 600 049 by virtue of a registered settlement deed dated 13.10.1976 vide document No.1779 of 1976. The petitioner would further state that during the month of March, 2015 the second respondent along with his workers made an inspection in front of the house of the petitioner and on enquiry he came to know that the respondents are going to install a 11 KV transformer for effecting power supply to the new flats that were being constructed nearby the residence of the petitioner. The petitioner immediately raised his objections in the form of

representation dated 31.03.2015 to the respondents 1 and 2. Without disposing of the said representation, the respondents are urgently taking steps to install the transformer to satisfy the needs of the persons who are going to occupy the newly constructed flats and hence he has come forward to file this writ petition.

3. Heard the submissions of Mr.T.K.S.Gandhi, learned counsel appearing for the petitioner and Mr.P.R.Dhilip Kumar, learned counsel accepts notice for the respondents.

4. This Court considering the limited scope of the prayer made in this writ petition, without going into the merits of the case as projected by the petitioner, directs the respondents 1 and 2 to consider and dispose of the representation of the petitioner dated 31.03.2015, 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 and the respondents shall defer further decision for installation of the transformer near the house of the petitioner till then. The writ petition is disposed of accordingly. Consequently, the connected miscellaneous petition is closed. No costs.

Sd/-
Asst.Registrar (LA)

/true copy/

Sub Asst. Registrar

To

1. The Chief Engineer,
Chennai - North,
Tamil Nadu Electricity Board,
Anna Salai, Chennai.

2. The Assistant Engineer,
Tamil Nadu Electricity Board,
ICF Sub-Station, Chennai.

+1cc to Mr. P.R. Dhilipkumar Advocate SR 36860
+1cc to Mr. T.K.S.Gandhi Advocate SR 37124

W.P.No.21774 of 2015
and M.P.No.1 of 2015

VP (CO)
Rs 11.08.2015