

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.08.2015

CORAM

THE HONOURABLE MR.JUSTICE.N.KIRUBAKARAN

W.P.No.7012 of 2005

S.Selvajothi

...Petitioner

.Vs.

1. The Assistant Executive Engineer,
Tamil Nadu Electricity Board,
O & M/Tamil Nadu Electricity Board (North)
Manali, Chennai.
2. The Assistant Engineer,
Sub Station, Tamil Nadu Electricity Board,
Nappalayam, Chennai 103.

...Respondents

Prayer: This Writ petition is filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus to direct the respondents to immediately remove the EB transformer and EB post put up in the petitioner's purchased property situated at Ponneri Taluk, Kadappakkam Village, Survey No.1B/1, Patta No.66, having an extent of 21 cents.

For Petitioner : Mr.s.M.Meera Mohideen

For R1 & R2 : Mr.P.R.Dhilipkumar

ORDER

This writ petition has been filed by the petitioner seeking to remove the EB transformer and EB post put up in the petitioner's purchased property situated at Ponneri Taluk, Kadappakkam Village, Survey No.1B/1, Patta No.66, having an extent of 21 cents.

2. In this case, the petitioner has purchased 21 cents in Survey No.1B/1, Patta No.66, Kadappakkam Village, Ponnei Taluk by

way of sale deed dated 07.11.1985. While so, the respondents without any consent from the petitioner, had put up E.B. Transformer in the property of the petitioner and therefore, the petitioner gave a representation on 23.02.2015, for removing the EB Transformer and post.

3. When the matter is called today, the learned counsel appearing for the respondents would submit that respondents have already given Advice Slip dated 20.08.2015, by which, the respondents have informed the petitioner that the estimation for shifting is Rs.1,15,180/-.

4. The learned counsel appearing for the petitioner would submit that the petitioner may be directed to pay a sum of Rs.1,15,180/- towards shifting charges, as per undertaking given by him.

5. In view of the above facts and circumstances of this case, the petitioner is directed to pay a sum of Rs.1,15,180/- to the second respondent and the second respondent is also directed to shift the EB transformer and EB post, within a period of six weeks from the date of the payment.

With the above observation, this writ petition is disposed of.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

kkd

To

1. The Assistant Executive Engineer,
Tamil Nadu Electricity Board,
O & M/Tamil Nadu Electricity Board (North)
Manali, Chennai.

2. The Assistant Engineer,
Sub Station, Tamil Nadu Electricity Board,
Nappalayam, Chennai 103.

1 CC to Mr.P.R.Dhilipkumar, Advocate SR.No. 45717

1 CC to Mr.s.M.Meera Mohideen, Advocate SR.No. 45760

W.P.No.7012 of 2015

KJI (CO)
PSI (29.09.2015)



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