

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 06.04.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.9884 of 2015
and M.P.No.1 of 2015

1. D.Ramamoorthy
2. T.Lalitha
3. A.Krishnaveni .. Petitioners

Versus

1. The Superintending Engineer,
T.N.Electricity Board,
Vellore - 632 006.
2. The Executive Engineer,
T.N.Electricity Board,
Vellore - 632 006.
3. The Junior Engineer,
Tiruvalam Electricity,
Tiruvalam, Vellore District.
4. K.G.Mannar .. 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 to 3 from taking electricity cable through petitioners' land comprised in S.No.509/4A2, 510/3B and 509/3,2B of Ilayanallur Village, Katpadi Taluk, Vellore District in order to grant electricity connection to the 4th respondent's building without the petitioners' consent.

For Petitioners : Mr.M.Muthappan
For Respondents : Mr.M.Varun Kumar (for R1 to R3)
standing counsel for TNEB

O R D E R

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

2. The 1st petitioner claims that he is the owner of the agricultural lands comprised in S.No.509/4A2 admeasuring an extent of 0.25.00 Hectares. The 2nd petitioner claims that he is also the owner of the agricultural lands comprised in S.No.510/3B, admeasuring an extent of 0.22.00 Hectares in Illayanthangal

Village, Vellore District. The 3rd petitioner also claims that he is the owner of the agricultural lands admeasuring an extent of 0.07.00 Hectares in Illayanthangal Village, Vellore District, situated in S.Nos.509/3 and 509/2B.

3. The grievance expressed by the petitioners is that the 4th respondent, is the owner of the lands comprised in S.Nos.508/2 and 508/3 in Illayanthangal Village, Vellore District and he is running a poultry farm and already having electricity service connection in S.C.No.478 and he has also put up an additional structure and in need of additional electricity service connection and for that purpose, the electrical poles are sought to be erected in the lands owned by the petitioners. In this regard, the petitioners submitted individual representations dated 18.03.2015 to the 3rd respondent and inspite of the receipt of the same, they have not been favoured with any response and therefore, came forward to file this writ petition.

4. Heard the submissions of Mr.Varun Kumar, learned standing counsel, who accepts notice for respondents 1 to 3.

5. Though, the petitioners pray for a larger relief, praying for an appropriate directions forbearing the respondents, from putting up electricity poles on their lands, this Court in the facts and circumstances of the case, is of the view that it would be suffice to direct the 3rd respondent to consider and dispose of the individual representations dated 18.03.2015 submitted by the petitioners on merits within a stipulated time.

6. In the result, the writ petition is disposed of and the 3rd respondent is directed to consider the representation dated 18.03.2015 submitted by the petitioners on merits and in accordance with law, after putting the 4th respondent on notice and dispose of the same within a period of four weeks from the date of receipt of a copy of this order and communicate the decision to the petitioners. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

ars

To

1. The Superintending Engineer,
T.N.Electricity Board,
Vellore - 632 006.

2. The Executive Engineer,
T.N.Electricity Board,
Vellore - 632 006.

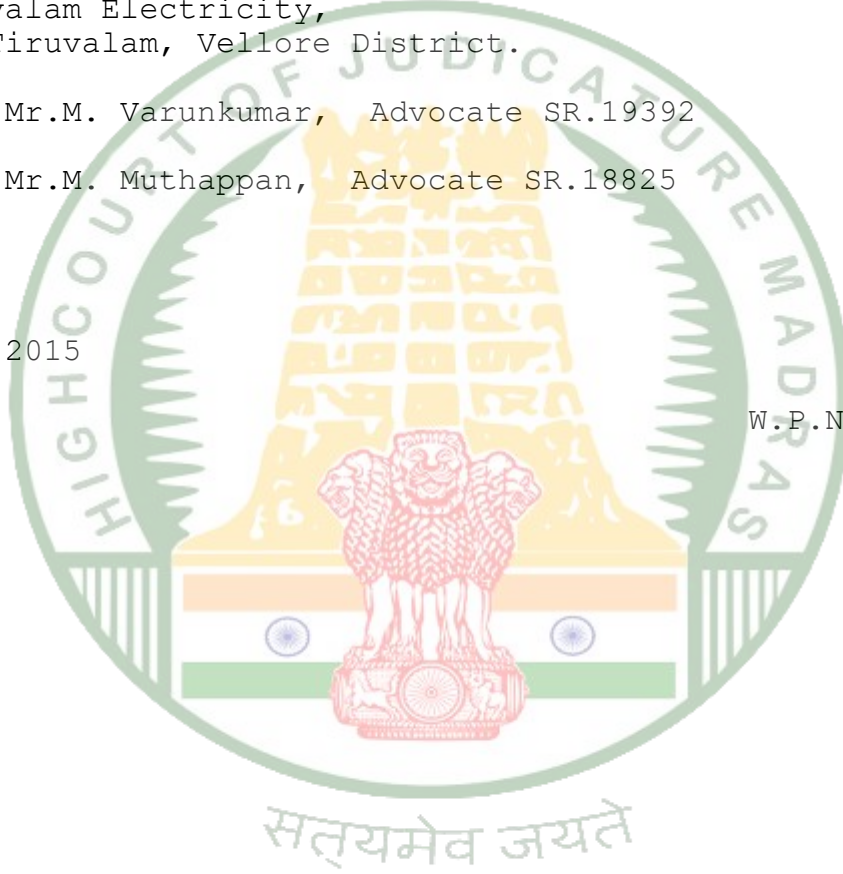
3. The Junior Engineer,
Tiruvalam Electricity,
Tiruvalam, Vellore District.

+ 1 cc to Mr.M. Varunkumar, Advocate SR.19392

+ 1 cc to Mr.M. Muthappan, Advocate SR.18825

GJ(CO)
EU 22.04.2015

W.P.No.9884 of 2015



WEB COPY