

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 05.04.2016

Coram

The Hon'ble Mr. Justice T.S.SIVAGNANAM

Writ Petition No.12504 of 2016

&

W.M.P.Nos.10816 and 10817 of 2016

K.Sarasu

...Petitioner

Vs.

The Assistant Engineer
O & M/TANGEDCO
West Guduvancherry
Kanchipuram District

...Respondent

Writ Petition filed under Article 226 of the Constitution of India, for issuance of Writ of Certiorari calling for the records relating to the proceedings in letter No.E.Ni.Po/ E.Pa/Me/ Kooduva/ No./2015 dated 02.03.2015 on the file of the respondent quash the same and direct the respondent to shift the transformer located in front of the House Site of the petitioner situated in House site No.30 Srivalli Nagar in S.No.514/18-3 of Nandhivarm Guduvancheri Village to any other place.

For Petitioner : Mr.S.Doraisamy

For Respondents : Mr.S.K.Rameshuwar

ORDER
सत्यमेव जयते

Heard learned counsel for the petitioner and the learned counsel appearing for the respondents.

2. Petitioner has filed this writ petition challenging the order dated 02.03.2015, by which the respondent has demanded a sum of Rs.1,38,610/- being the costs of shifting the transformer, which according to the petitioner obstructs a portion of entry to the petitioner housing plot. The petitioner would state that she is a daily wage earner and with her hard earned money saved for several years she has purchased a housing plot and proposes to put up construction. The extent of plot is about 1210 sq.ft and only now she has come to know that transformer has been erected and access to the property is being affected. The petitioner would

state that some concession may be granted to the petitioner considering the economic status.

3. On notice, the learned counsel for the respondent Board produced a written instruction from the first respondent dated 04.04.2016 along with a copy of the estimate and the undertaking given by the petitioner to pay the amount demanded by the Board.

4. On perusal of the estimate, it is seen that though initially the respondent board had arrived at a higher amount, subsequently several changes have been made and concession have been extended with regard to labour charges, the credit which are available has been adjusted and then the amount has been fixed at Rs.1,38,610/- .

5. In the light of the above, there is no error in the impugned proceedings, more particularly when the petitioner has undertaken to pay the same. Hence, the Writ petition is dismissed. However, the petitioner is granted three weeks time to remit the amount and as and when the entire amount is remitted the work shall be commenced. No costs. Connected miscellaneous petitions are closed.

Sd/-

Asst.Registrar (CS V)

/true copy/

Sub Asst. Registrar

To

The Assistant Engineer
O & M/TANGEDCO
West Guduvancherry
Kanchipuram District

1 cc to Mr.S. Doraisamy, Advocate, Sr. 21501

1 cc to Mr.S.K. Rameshuwar, Advocate, Sr. 21402

Writ Petition No.12504 of 2016

&

W.M.P.Nos.10816 and 10817 of 2016

VGI (CO)

kk 25/4