

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 26.04.2016

Coram

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

Writ Petition No.9299 of 2016

V.Jothi Bai

...Petitioner

Vs.

1. The Chairman,
Tamil Nadu Electricity Board,
Mount Road, Chennai.
2. The Divisional Engineer,
Tamil Nadu Electricity Board,
Thiruvallur.
3. The Junior Assistant Engineer,
Tamil Nadu Electricity Board,
Thiruvallur.

....Respondents

Writ Petition filed under Article 226 of the Constitution of India, for issuance of Writ of Certiorari Mandamus to call for records and to quash the impugned order of the third respondent, dated 12.01.2016, and to issue a writ, in the nature of mandamus, directing the respondents to remove the electrical post in front of the petitioner's house at No.134, Ponniyamman Koil Street, Nethaji Salai, Thiruvallur.

For Petitioner : Mr.S.Shankar

For Respondents : Mr.S.K.Raameshwar
Standing Counsel

WEB COPY
O R D E R

Heard Mr.S.Shankar, learned counsel appearing for the petitioner and Mr.S.K.Raameshwar, learned Standing Counsel for respondents.

2. The petitioner has filed this Writ Petition to quash the proceeding of the third respondent, dated 12.01.2016, and to direct the respondents to remove the electrical post in front of the petitioner's house at No.134, Ponniyamman Koil Street,

Nethaji Salai, Thiruvallur.

3. On an earlier occasion, when this Writ Petition was entertained, this Court directed the respondents to analyze the matter, and submit a report. Accordingly, a report has been submitted by the Assistant Engineer, O & M, Town Thiruvallur, KEDC, Thiruvallur, addressed to the Standing Counsel, High Court, Madras, dated 14.03.2016, wherein, the following stand has been taken:-

" While inspecting the site, it is seen that the electric pole, located at site is in good condition. The electric wires, supplying electricity to the consumer's premises is also not damaged one. The request of the petitioner to shift the electric pole to some other appropriate place is not possible, as the electrical pole is placed at the end of the consumer's compound, and the rod goes to the Government School, since, it is tail end pole, where, there is Government School and electric wire of the adjacent house cross over the consumer's premises, and if the pole moving in front in between consumer's house and neighbor house is shifted, the pole stay wire or stud pole will run in front of the consumer's premises (Jothibai) since it is at tail end, as clearly shown in the photo copies. Hence, it is not possible to move the pole and also the service wire not crossing the consumer (Jothibai) premises "

4. In the light of the above stand taken by the respondent-Board, the prayer sought for by the petitioner is not feasible for consideration at this juncture. However, the Assistant Engineer, O & M, Town Thiruvallur, KEDC, Thiruvallur, is directed to communicate the above findings/report, in the form of order, so as to enable the petitioner to workout his remedy in the manner known to law.

5. With the above observation, the Writ Petition is dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

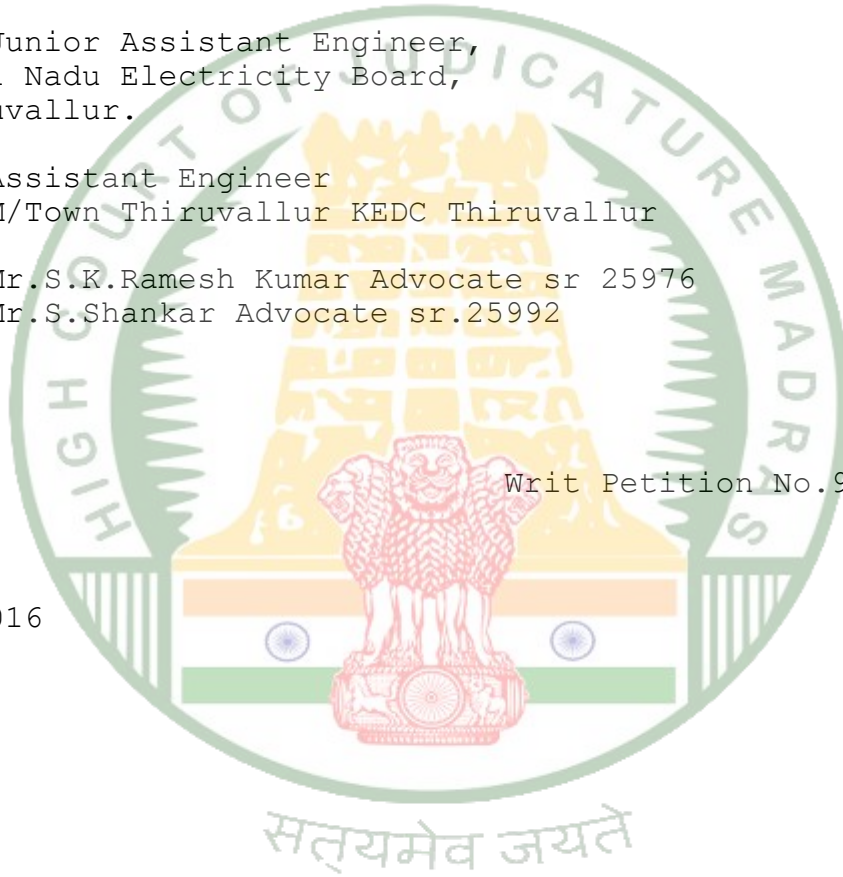
To

1. The Chairman,
Tamil Nadu Electricity Board,
Mount Road, Chennai.
2. The Divisional Engineer,
Tamil Nadu Electricity Board,
Thiruvallur.
3. The Junior Assistant Engineer,
Tamil Nadu Electricity Board,
Thiruvallur.
4. The Assistant Engineer
O & M/Town Thiruvallur KEDC Thiruvallur

+1 cc to Mr.S.K.Ramesh Kumar Advocate sr 25976
+1 cc to Mr.S.Shankar Advocate sr.25992

Writ Petition No.9299 of 2016

rsy(co)
aa11/05/2016



WEB COPY