



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.12.2016

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THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P(MD) .No.25043 of 2016

and

W.M.P (MD) No.18126 of 2016

K.Balakrishnan

... Petitioner

Vs

1.The District Collector

Kanyakumari,
At Nagercoil.

2.The Superintending Engineer,

Tamil Nadu Electricity Board,
Nagercoil,
Kanyakumari District.

3.The Assistant Executive Engineer,

High Tension Electricity Line (Construction of Tower)
Tamil Nadu Electricity Board,
Parvathipuram, Nagercoil,
Kanyakumari District.

4.The Assistant Executive Engineer,

Distribution and Maintenance,
Tamil Nadu Electricity Board,
Suriacode Post,
Kanyakumari District.

... Respondents

This Writ Petition has been filed under Article 226 of the Constitution of India praying for a Writ of Mandamus directing the respondents to remove the high tension wire line crossed the petitioner's house Door No.19/ 146B it is situated in re-survey No. 358/A1A Methukummal Village, Suriacode Post, Kanyakumari District and consequently, directing the respondents to draw the electricity high tension wire line through the petitioner's adjacent vacant place in same survey No.358/A1A at Methukummal Village, Suriacode Post, Kanyakumari District.

For petitioner : Mr.D.Anbarasu

For respondents : Mr.C.Selvaraj

Spl. Govt. Pleader for R1

Mr.SMS.Johny Basha

for R2 to R4



ORDER

The petitioner seeks for a Mandamus directing the respondents to remove the high tension wire line crossed in his house Door No.19/ 146B which is situated in re-survey No.358/A1A, Methukummal Village, Suriacode Post, Kanyakumari District and consequently, directing the respondents to draw the electricity high tension wire line through his adjacent vacant place in same survey No.358/A1A at Methukummal Village, Suriacode Post, Kanyakumari District.

2. Mr.C.Selvaraj, learned Special Government Pleader takes notice for the first respondent and Mr.SMS.Johny Basha, learned Standing Counsel takes notice for the respondents 2 to 4. By consent, this Writ Petition itself is taken up for final disposal.

3. The learned counsel appearing for the petitioner would submit that it would be suffice if the representation of the petitioner is disposed of, by the respondent, within the time stipulated by this Court.

4. The learned Special Government Pleader appearing for the first respondent would submit that if the petitioner gives a fresh representation to the first respondent, the same will be considered in accordance with law.

5. Considering the above-said submission, without expressing any view on the merits and contention raised in this writ petition, the petitioner is directed to submit a fresh representation to the first respondent within a period of one week from today and on receipt of such representation, the first respondent is directed to pass appropriate orders on the same, on merits and in accordance with law, after giving notice to the interested parties, if any, within a period of four weeks, thereafter.

6. With the above direction, this Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(Writs)

/True copy/

Sub Assistant Registrar



K.KALYANASUNDARAM, J
skn

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+1cc to Mr.D.Anbarasan, Advocate SR.No.83710
+1cc to Mr.S.M.S.Johnny Basha, Advocate SR.No.83688

skn

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