

THE HONOURABLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.13827 OF 2016

ORDER:

This writ petition is filed for redressal of grievance that the respondent authorities without any notice and without consent of the petitioner have erected a distribution transformer in front of his house. Hence, challenging installation of transformer, petitioner seeks a writ of mandamus directing the respondents to remove/shift the same to some other place.

Heard learned counsel for the petitioner Mr.Ravi Kumar and Sri M.Ravindra, learned standing counsel for respondents.

Learned counsel for the petitioner submits that installed transformer is likely to cause obstruction to petitioner's ingress and egress.

The aspect of installation of distribution transformer is mainly depends on the standards which are required to be followed under Indian Electricity Act as notified from time to time and the regulations issued by the respective Regulatory Commissions while approving the scheme of allowing a distribution licensee to lay distribution lines and it is impossible to take consent of each individual consumer/general public. If at all any person is aggrieved by it, necessary objections have to be filed at the time of scheme being notified. In the present case, the grievance of the petitioner is that he owns a residential plot admeasuring 374 Sq.Yards and on account of installation of transformer in front of his house, there is possibility of petitioner's right of ingress and egress being affected. I am afraid, such kind of rights of petitioner cannot be redressed and in law there is no requirement of any consent/consultation before installation of

transformer. In those circumstances, the relief of the nature sought by the petitioner in the writ petition cannot be granted. However, in a given case, always it is open for the petitioner to approach the respondent authorities seeking shifting of transformer. In that view of the matter, liberty is given to the petitioner to approach the respondents to putforward his grievance, as and when such representation is made, the same shall be considered by the respondent authorities, subject to technical feasibility, within a reasonable time.

With above observations, the writ petition is disposed of. No order as to costs.

Consequently, Miscellaneous Petitions pending, if any, in this writ petition shall stand closed.

Challa Kodanda Ram, J

25th April, 2016.

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