

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.02.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.2420 of 2017

P.Krishnakumar

.. Petitioner

-vs-

1. The Chairman

Tamil Nadu Generation and
Distribution Corporation Electricity Co.,
NPKRR Maligai
No.144, Anna Salai
Chennai 600 002

2. The Superintending Engineer

Tamil Nadu Generation and
Distribution Corporation Electricity Co.,
Kothandaraman Koil Street, Vellai Street
West Mambalam
Chennai 600 033

.. Respondents

Petition under Article 226 of the Constitution of India,
praying for the issue of a Writ of Mandamus, directing the
second respondent to shift the High Tension Transformer from the
petitioners land in premises old No.59, New No.184, Lake View
Road, West Mambalam, Madras-33 comprised in T.S.No.35/1, Block
No.55, Puliyur Village, to any other place.

For Petitioner :: Mrs.Thenmozhi Shivaperumal

For Respondents :: Mr.P.R.Dhilipkumar

ORDER

This writ petition has been filed by Mr.P.Krishnakumar
seeking a writ of mandamus, directing the Superintending
Engineer, Tamil Nadu Generation and Distribution Corporation,
West Mambalam, Chennai, the second respondent to shift the High
Tension Transformer from the petitioner's land comprised in
T.S.No.35/1, Block No.55, Puliyur Village bearing premises New
No.184, (Old No.59), Lake View Road, West Mambalam, Chennai, to
any other place.

2. Learned counsel for the petitioner submitted that the petitioner's parents resided in the above premises while the petitioner was working in Delhi. But unfortunately, the petitioner's mother died on 20.11.2011 and the petitioner's father died on 5.12.2014. After his retirement from service, the petitioner wants to settle down in the native place along with his family members. When the petitioner came from Delhi, he was shocked to note that a high tension transformer was placed in front of his house, that too in front of the two shops. On enquiry he came to know that the above transformer was placed by the respondents long back since nobody objected. As the transformer is lying just in front of his house, every now and then spark is coming from that high tension transformer, which is also posing a threat to the safety of the flat owners living nearby. Even the children are not permitted to play outside their houses. The reason is that during rainy season, it is very difficult for any one to go nearer the high tension transformer fearing an accident. Moreover, the petitioner is not able to get free ingress and egress to his house and the shops. When his right to enter the house and the shops has been affected, he has given a representation to the respondents on 7.9.2016 requesting them to change the place of the transformer. But finding no response, he has come to this Court.

3. This Court hardly finds any justification for the petitioner to approach the Court belatedly. It appears that the high tension transformer was erected 20 years ago. Since then, several residential and commercial electricity service connections have been given. If the petitioner's request is directed to be considered at this belated stage, it would seriously affect the beneficiaries who have been enjoying the electricity service connection for quite a long time. In view of the said delay, this Court is not inclined to entertain the writ petition. Accordingly, the writ petition fails and it is dismissed. No costs.

सत्यमेव जयते

s/d-

Assistant Registrar(CCC)

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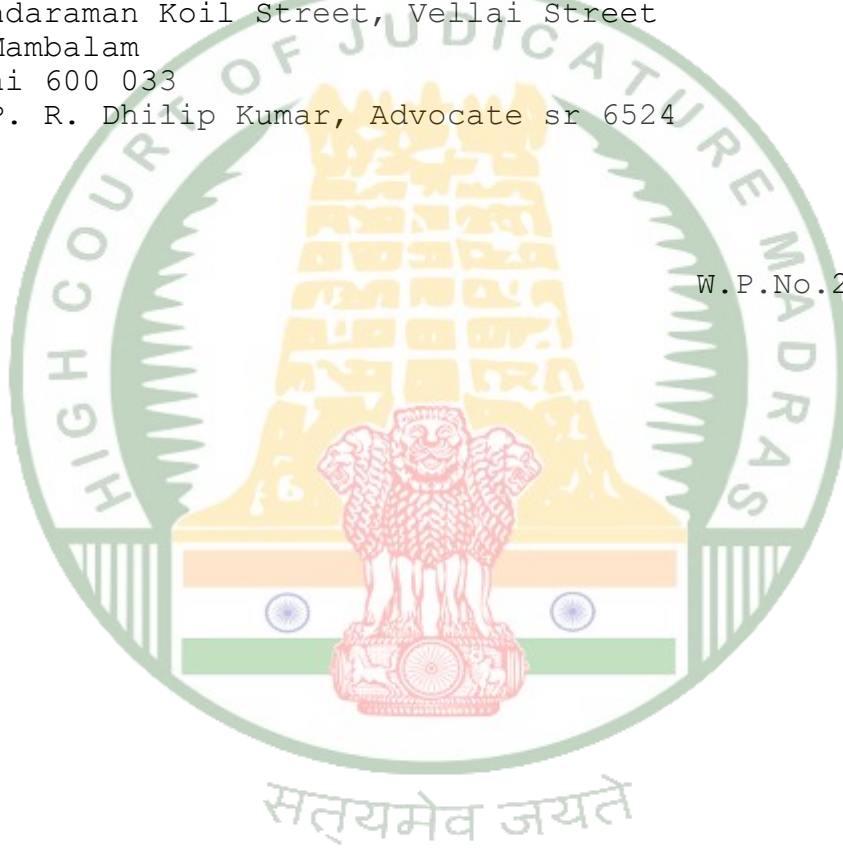
Sub-Assistant Registrar

To

1. The Chairman
Tamil Nadu Generation and
Distribution Corporation Ltd.,
NPKRR Maligai
No.144, Anna Salai
Chennai 600 002
 2. The Superintending Engineer
Tamil Nadu Generation and
Distribution Corporation Ltd.,
Kothandaraman Koil Street, Vellai Street
West Mambalam
Chennai 600 033
- +1 CC to P. R. Dhillip Kumar, Advocate sr 6524

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KSJ(CO)
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