

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.05.2017

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THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

W.P.No.34657 of 2014

and

M.P.No.1 of 2014

Tmt.Varsha N.Shah

... Petitioner

Vs.

1. State of Tamilnadu
Rep. by Secretary to Government,
Ministry of Energy, Fort St.George,
Chennai - 600 009.
2. The Superintendent Engineer,
Tamil Nadu Electricity Board,
Anna Salai, Chennai - 600 002.
3. The Additional Divisional Engineer (Chennai North)
Tamil Nadu Electricity Board,
Pulianthope, Chennai - 600 012.
4. The Assistant Engineer,
Tamil Nadu Electricity Board,
Malaiappan Street, Chennai - 12.

... Respondents

Prayer:

Petition filed under section 226 of the Constitution of India to issue a Writ of Mandamus or direction to the fourth respondent to shift the newly erected transformer in front the premises Old Door No.3, New No.33, Bashyam Reddy II Street (formerly Door No.12, Bashyan Reddy II Street (formerly Door No.12, Bashyam Reddy II Street, and as per previous Document Door No.11, Bashyam Reddy III Street with common right in pathway leading to Bashyam Reddy III Street, Otteri, Chennai - 12 remaining uncommissioned at present to the existing place or retain the existing transformer at premises No.383/13, Bashyam Reddy III Street, Otteri, Chennai - 600 012.

For Petitioner : Mr.J.R.K.Bhavanantham

For Respondents : Mr.P.V.Selvakumar for R1
Additional Government Pleader
Mr.P.R.Dhilipkumar for R2 to R4

O R D E R

The petitioner has come forward to file this writ petition with a grievance that an attempt is being made to erect a transformer in front of her house despite her objection.

2.The learned counsel appearing for the petitioner would submit that the proposed transformer would affect the ingress and egress to her property apart from creating obstruction.

3.The learned counsel appearing for the respondent Board/ Tamil Nadu Electricity Board submits that the said submission is factually incorrect as the transformer is to be erected on the backside of the house, namely, Bashyam Reddy III Street and there is no obstruction to the ingress and egress to the petitioner's property and hence, no interference is required.

4.This Court is not proposed to go into the issue sought to be raised being factual. The petitioner has given her objection through the legal notice dated 13.12.2014. The said objection is still pending consideration. It appears that after the preliminary work no progress has been made. In such view of the matter, a direction is issued to respondent no.4 to look into the legal notice sent by the petitioner dated 13.12.2014 and give a suitable reply, within a period of four weeks from the date of receipt of a copy of this order. Till such time, status-quo as on today shall be maintained.

5.The writ petition stands disposed of accordingly. No costs. Consequently, the connected miscellaneous petition is also closed.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

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To

1. The Secretary to Government,
Ministry of Energy, Fort St.George,
Chennai - 600 009.
2. The Superintendent Engineer,
Tamil Nadu Electricity Board,
Anna Salai, Chennai - 600 002.

3. The Additional Divisional Engineer
(Chennai North)

Tamil Nadu Electricity Board,
Pulianthope, Chennai - 600 012.

4. The Assistant Engineer,

Tamil Nadu Electricity Board,
Malaiappan Street, Chennai - 600 012.

+1cc to Mr.P.R.Dhilipkumar, Advocate, S.R.No.37415

+1cc to Mr.J.R.K.Bhavanantham, Advocate, S.R.No.37411

W.P.No.34657 of 2014
and

M.P.No.1 of 2014

SAI (CO)
CA(22/05/2017)



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