



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.10.2017

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THE HONOURABLE MR.JUSTICE R.MAHADEVANW.P(MD) No.19123 of 2017

T.Pandiyarajan

... Petitioner

-vs-

1. The Assistant Executive Engineer (South),
Tamil Nadu Electricity Board,
S.S.Complex, Usilampatty Road,
Tirumangalam, Madurai District.

2. The Assistant Engineer,
Tamil Nadu Electricity Board,
D.No.9/109, Kallupatti Road,
Kallikudi, Madurai District.

3. Ramkumar

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondent Nos. 1 & 2 to consider the petitioner's representation dated 26.09.2017, which was given to them for considering the alternative route to provide electricity connection to the 3rd respondent without affecting the agricultural activities of the petitioner within the period that may be stipulated by this Hon'ble Court.

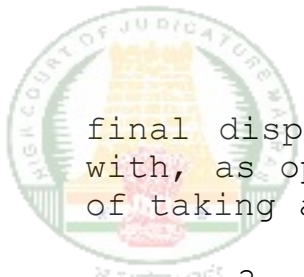
For Petitioner : Mr.R.Gandhi

For R1 & R2 : Mr.S.M.S.Johnny Basha

O R D E R

This writ petition has been filed, seeking a direction to the respondent Nos. 1 & 2 to consider the petitioner's representation dated 26.09.2017, which was given to them for considering the alternative route to provide electricity connection to the 3rd respondent without affecting the agricultural activities of the petitioner.

2. Heard the learned counsel for the petitioner and the learned Standing Counsel appearing for the respondents 1 & 2. By consent on either side, the writ petition itself is taken up for



final disposal at the admission stage. Notice to R3 is dispensed with, as opportunity of hearing will be provided to R3 at the time of taking a final decision by the concerned authority.

3. The case of the petitioner is that he is an agriculturalist and the 3rd respondent, who is involved in real estate business applied for single electricity connection with R1 & R2 for the agricultural usage. Pursuant to his application, the respondents 1 & 2 have decided to give electricity connection from the pole erected in his land, which would pass through his land and affect his crops. In this regard, the petitioner has submitted a representation dated 26.09.2017 to the respondents 1 & 2 for considering the alternative route to provide electricity connection to R3. Since the said representation has not been considered so far, the petitioner is before this Court with the above prayer.

4. The learned Standing Counsel would submit that if a reasonable time is granted to the respondents 1 & 2, the representation of the petitioner will be considered and suitable orders passed.

5. In view of the above submission, this Court, without going into the merits of the matter, directs the respondents 1 & 2 to consider the representation of the petitioner dated 26.09.2017 and pass appropriate orders with regard to providing alternative route on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order, after due notice to the petitioner as well as any of the interested parties.

6. With the above direction, this petition is disposed of. No costs.

Sd/-
Assistant Registrar (CS-III)

/True copy/

Sub Assistant Registrar

+ 1 CC TO MR.R.Gandhi, ADVOCATE IN SR No.82500
+ 1 CC TO MR.S.M.S.Johnny Basha , ADVOCATE IN SR No.82683
ar
MK/JC/SAR-2/31.10.2017/2P/3C

W.P (MD) No.19123 of 2017
12.10.2017