



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.10.2017

CORAM:

**THE HONOURABLE MR. JUSTICE R. MAHADEVAN**

WEB COPY

**W.P (MD) No. 4515 of 2011****and****M.P (MD) No. 1 of 2011**

S. Thirunagu

... Petitioner

Vs.

1. The Superintending Engineer  
Tamil Nadu Electricity Board,  
Tuticorin Electricity Distribution Circle,  
Ettayapuram Road,  
Thoothukudi.

2. The Assistant Engineer,  
Distribution North Section,  
Tamil Nadu Electricity Board,  
Muthaiyapuram,  
Thoothukudi District.

3. S. Murugesan  
Assistant Engineer,  
Distribution North Section,  
Tamil Nadu Electricity Board,  
Muthaiyapuram,  
Thoothukudi District.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the Respondents, their men, subordinates and agents not to uproot the Electricity pole post situated at petitioner's land in S.No.351/1A7 and further direct the Respondents not to disconnect the Electricity connection to the petitioner Electricity Service connection bearing Service Number 348.004.39 at 5/239, Ambedkar Nagar, 1st Street East, Muthaiyapuram Post, Thoothukudi - 5, without affording proper opportunity of hearing to the petitioner based on the petitioner's representation dated 15.04.2011.

|                |                            |
|----------------|----------------------------|
| For Petitioner | : Mr. P. Pethu Rajesh      |
| For R.1 to R.3 | : Mr. S. M. S. Johny Basha |

**ORDER**<https://hcservices.ecourts.gov.in/hcservices/>

This writ petition has been filed, seeking a direction to



the Respondents not to uproot the Electricity pole situated at petitioner's land in S.No.351/1A7, which is existing for the past 15 years. The petitioner also sought for a direction to the Respondents not to disconnect the Electricity connection to the petitioner, without affording due opportunity of hearing.

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2. When the matter is taken up for hearing, the learned Standing Counsel appearing for the respondents has submitted that there is no need to remove the electricity pole from the subject mentioned place, for which, he relied on the counter affidavit, wherein, at paragraph No.11 it has been specifically averred as follows:

"That we do not have any intention to disconnect electricity supply or to remove the electricity pole in the petitioner house by addressing the letter dated 07.06.2011 to the petitioner. The petitioner who has been the employee of T.N.E.B., should be fully aware of the Rules and Regulations of Tamil Nadu Electricity Board could remove or erect the electricity pole only actual need arises."

3. Recording the said submission, this writ petition is closed, as nothing survives for further adjudication. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AE)

/True copy/

Sub Assistant Registrar

To

1. The Superintending Engineer  
Tamil Nadu Electricity Board,  
Tuticorin Electricity Distribution Circle,  
Ettayapuram Road,  
Thoothukudi.
  2. The Assistant Engineer,  
Distribution North Section,  
Tamil Nadu Electricity Board,  
Muthaiyapuram,  
Thoothukudi District.
- + 1 CC TO Mr.P.Pethu Rajesh, ADVOCATE IN SR No. 83402  
rm  
MK/KK/SAR-1/09.11.2017/2P/4C