

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.10.2018

CORAM:

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

W.P. No.13852 of 2012 &
M.P.No.1 of 2012

A.K.Krishnamurthy .. Petitioner

Vs.

- 1.The Superintending Engineer,
General Construction Circle,
Guindy, Chennai - 600 032.
- 2.The Assistant Engineer,
General Construction Circle,
Guindy, Chennai - 600 032.
- 3.The District Collector,
Kancheepuram District,
Kancheepuram. ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to forbear the respondents 1 and 2 herein, their subordinates or anybody acting through them from in any manner digging or fixing any support of overhead line or any stay or strut required for the purpose of securing in position any support of an overhead transmission line in any portion of the land of the petitioner situated in S.No.57, No.15, Kannivakkam Village, Chengalput Taluk, Kancheepuram District in an extent of 1.44 acres without following the mandatory procedure as contemplated under sub-section (2) of Section 67 of the Electricity Act, 2003 and the Works of licensees Rules, 2006 and without getting permission in writing from the third respondent for carrying out the works in the petitioner's land.

For Petitioner : Mr.N.Damodaran

For Respondents : Mr.P.R.Dhilip Kumar
Standing Counsel for R1 & R2

Mr.B.Anand
Government Advocate for R3

O R D E R

Heard Mr.N.Damodaran, learned counsel for the petitioner; Mr.P.R.Dhilip Kumar, learned Standing Counsel for the respondents 1 and 2; Mr.B.Anand, learned Government Advocate for the third respondent and perused the materials available on record.

2. The petitioner has come forward with this Writ Petition praying for issuance of Writ of Mandamus, forbearing the respondents 1 and 2 from digging or fixing any overhead line in the land of the petitioner in Survey No.57, No.15, Kannivakkam Village, Chengalput Taluk, Kancheepuram District.

3. The learned Standing Counsel for the first respondent submitted that the respondents 1 and 2 had no proposal to dig or fix any overhead line in the land of the petitioner.

4. The learned counsel for the petitioner by filing a Memo dated 30.10.2018, would submit that the Writ Petition may be closed by recording the submission of the learned counsel for the respondents 1 and 2, whereby, they have stated that overhead transmission line to the West of Survey No.57, No.15, Kannivakkam Village, Chengalpet Taluk, is erected in the lake poramboke without affecting the land of the petitioner.

5. In the light of the above submission of the learned Standing Counsel for the respondents 1 and 2 and recording the Memo filed by the learned counsel for the petitioner, the Writ Petition is closed as no further adjudication is required. There is no order as to costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

r n s

To

1.The Superintending Engineer,
General Construction Circle,
Guindy, Chennai - 600 032.

2.The Assistant Engineer,
General Construction Circle,
Guindy, Chennai - 600 032.

3.The District Collector,
Kancheepuram District,
Kancheepuram.

+1cc to Mr.N.Damodharan, Advocate SR.NO.74479
+1cc to Government Pleader SR.NO.75264

W.P. No.13852 of 2012 &
M.P.No.1 of 2012

SV(CO)
GN(26/11/2018)



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