

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.02.2018

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

W.P.No.3423 of 2018

R.Sakthi
S/o.Rathinavel

.. Petitioner

Vs.

- 1.The Executive Engineer
Tamil Nadu Electricity Board
Rasipuram, Rasipuram Taluk
Namakkal District.
- 2.The Assistant Executive Engineer
Operation / Maintenance
Tamil Nadu Electricity Board
Rasipuram Rural, Rasipuram Taluk
Namakkal District.
- 3.The Assistant Engineer
Operation / Maintenance
Rural South,
Tamil Nadu Electricity Board
Rasipuram, Rasipuram Taluk
Namakkal District.
- 4.The Superintending Engineer
Namakkal Electricity Distribute Circle
Tamil Nadu Electricity Board
Thiruchengodu Road, Namakkal
Namakkal District.

... Respondents

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents to remove the pole laid in S.F.No.83/1 in R.Goundampalayam Village, R.Goundampalayam, Rasipuram Taluk, Namakkal District as per the petitioner's representations dated 27.11.2017 and 11.01.2018.

For Petitioner : Mr.S.Gunalan

For Respondents : Mr.S.K.Rameshwar
standing counsel

O R D E R

Mr.S.K.Rameshwar, learned standing counsel takes notice for the respondents. By consent of the parties, this writ petition is taken up for final disposal at the admission stage itself.

2. The petitioner seeks for a direction to the respondents to remove the pole laid in S.F.No.83/1 in R.Goundampalayam Village, R.Goundampalayam, Rasipuram Taluk, Namakkal District, as per his representations dated 27.11.2017 and 11.01.2018.

3. Heard both sides.

4. According to the petitioner, the subject matter property, wherein the disputed pole laid, belongs to the petitioner as Patta land. On the other hand, it is the claim of the respondents, that it is a common pathway. When the petitioner made an objection, the third respondent through a communication dated 05.12.2017, called upon the petitioner to produce necessary documents in support of his claim. Though the petitioner submitted an objection on 11.01.2018, the learned counsel for the respondents submitted that such objection was not furnished with supportive documents.

5. The learned counsel for the petitioner submitted that such supportive documents will be filed by the petitioner and therefore, the respondents may consider the grievance of the petitioner.

6. Considering the above stated facts and circumstances, without expressing any view on the merits of the claim made by the petitioner, this writ petition is disposed of, by directing the petitioner to furnish the supportive documents before the third respondent within a period of two weeks from the date of receipt of a copy of this order. On receipt of such documents, the third respondent will consider and pass orders on the objection raised by the petitioner within a period of two weeks, thereafter. No costs.

Sd/-
Assistant Registrar(CO)

//True copy//

Sub Assistant Registrar

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To

- 1.The Executive Engineer
Tamil Nadu Electricity Board
Rasipuram, Rasipuram Taluk
Namakkal District.
 - 2.The Assistant Executive Engineer
Operation / Maintenance
Tamil Nadu Electricity Board
Rasipuram Rural, Rasipuram Taluk
Namakkal District.
 - 3.The Assistant Engineer
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Rural South,
Tamil Nadu Electricity Board
Rasipuram, Rasipuram Taluk
Namakkal District.
 - 4.The Superintending Engineer
Namakkal Electricity Distribute Circle
Tamil Nadu Electricity Board
Thiruchengodu Road, Namakkal
Namakkal District.
- +1cc to Mr.S.Gunalan, Advocate SR.No.12136

W.P.No.3423 of 2018

CNR (CO)
GN (28/02/2018)

सत्यमेव जयते

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