

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :03.09.2018

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAM

W.P.No.1099 of 2013

&

W.P.M.P.No.1 of 2013

1.N.S.Jaganathan

2.N.S.Arunachalam

3.N.S.Venugopalan

.. Petitioners

.vs.

1.The Chairman,
Tamil Nadu Electricity Board,
No.144, N.P.K.R.R. Maligai,
Anna Salai,
Chennai-600 002.

2.The Superintending Engineer,
Tamil Nadu Electricity Board,
Chennai Electrical Distribution (West),
Thirumangalam, Anna Nagar,
Chennai - 600040.

3.The Assistant Divisional Engineer,
Tamil Nadu Electricity Board,
G.N.T.Road, Red Hills,
Chennai - 600052.

4. The Assistant Executive Engineer (O&M).
Tamil Nadu Electricity Board,
Chozhavaram, Chennai - 600067.

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents not to erect electric pillar for transformer any where in the vicinity of the petitioner's Schedule mentioned property, which is more fully described in the schedule hereunder.

For Petitioners : Mr.A.Veerappa

For Respondents : Mr.P.R.Dhilip Kumar

O R D E R

The relief sought for in this writ petition is for a direction to direct the respondents not to erect electric pillar for transformer any where in the vicinity of the petitioner's Schedule mentioned property described in the present writ petition.

2.The learned counsel for the writ petitioner states that the respondent Electricity Board is taking steps to erect an electric pillar nearby the property belongs to the writ petitioner.

3.The learned counsel appearing on behalf of the respondents states that the electric pillar was erected in the Government property and not within the property belongs to the writ petitioner. This apart, the said electric pillars were erected on 25.11.2012, and now the same has already been energised, and it is under the usage of public at large. Thus, no further action needs to be taken in this regard.

4. This court is of an opinion that the relief as such sought for in this present writ petition is misconceived. In view of the fact that the electric pillars were not erected in the property belongs to writ petitioner. The pillars were erected in Government property and for the benefit of the public at large. However, the said electric pillars are erected on 25.11.2012 itself, and the same is in usage for the past about six years. This being the factum of the case, no further consideration is required in respect of the grounds raised in this writ petition. If at all, the grievances of the writ petitioner exists it is for him to submit a fresh representation setting out his grievances if any.

5. Accordingly, the writ petition is devoid on merits and stands dismissed. There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS ix)

//True Copy//

Sub Assistant Registrar

kp/bkn

To

1.The Chairman,
Tamil Nadu Electricity Board,
No.144, N.P.K.R.R. Maligai,
Anna Salai,
Chennai-600 002.

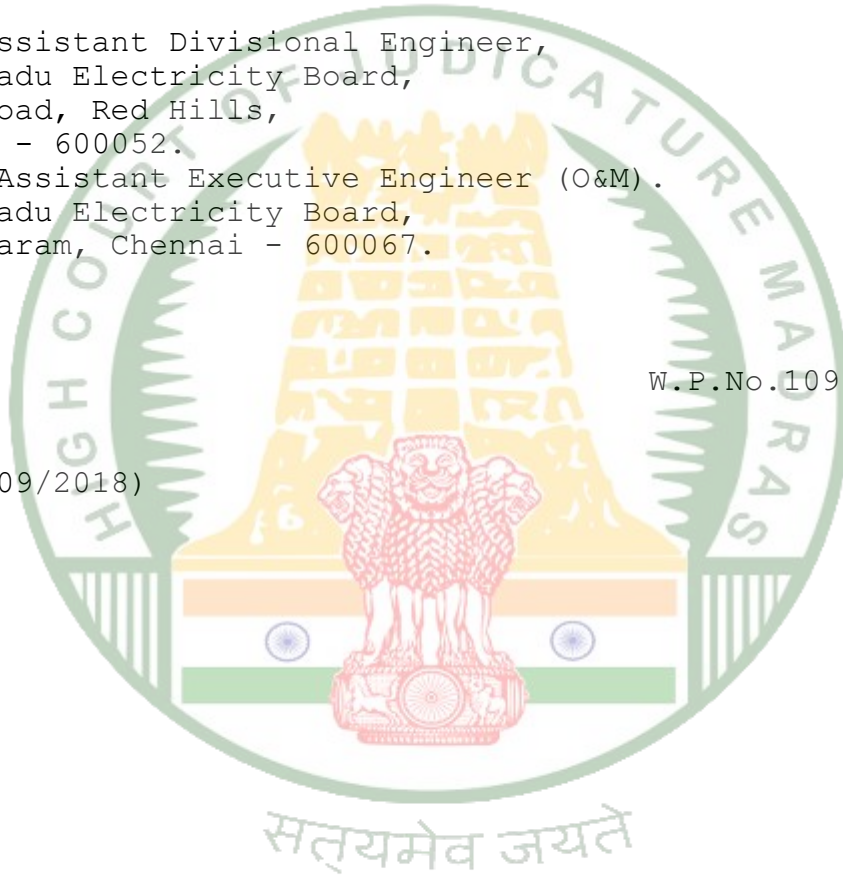
2.The Superintending Engineer,
Tamil Nadu Electricity Board,
Chennai Electrical Distribution (West),
Thirumangalam, Anna Nagar, Chennai - 600040.

3.The Assistant Divisional Engineer,
Tamil Nadu Electricity Board,
G.N.T.Road, Red Hills,
Chennai - 600052.

4. The Assistant Executive Engineer (O&M).
Tamil Nadu Electricity Board,
Chozhavaram, Chennai - 600067.

W.P.No.1099 of 2013

ASK (24/09/2018)



WEB COPY