

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.06.2018

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.13912 of 2018

S.Rajendran

.. Petitioner

-vs-

1. The Chairman
Tamil Nadu Electricity Board
800, Anna Salai
Chennai 600 002
2. The Assistant Executive Engineer
Operation & Maintenance
Tamil Nadu Generation and
Distribution Corporation
Pallipalayam 638 010
Namakkal District
3. The Assistant Engineer
Operation & Maintenance
Tamil Nadu Generation and
Distribution Corporation
Kokkarayanpettai 638 007
Namakkal District
4. Krishnamoorthy
S/o Palaniappa Gounder
5. S.Subramani
6. S.Ramasamy
7. M.Perumal Gounder

.. Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the respondents 1 to 3 to relocate the existing LT lines to the petitioner's own S.F.No.105/2C3, Kokkarayanpettai village, Namakkal District as per the estimate prepared by the second respondent on 10.05.2016 on the basis of his application dated 29.03.2016, by rejecting the baseless objections raised by the respondents 4 to 7.

For Petitioner :: Mr.N.Manokaran
For Respondents :: Mr.S.K.Rameshuwar
 Standing Counsel for R1 to 3

ORDER

This writ petition has been filed seeking a mandamus to the respondents 1 to 3 to relocate the existing LT lines to the petitioner's own S.F.No.105/2C3, Kokkarayanpettai village, Namakkal District, as per the estimate prepared by the second respondent on 10.05.2016 on the basis of his application dated 29.03.2016, by rejecting the baseless objections raised by the fourth to seventh respondents.

2. Learned counsel for the petitioner submitted that since the low tension electricity line is crossing over the petitioner's house, in order to re-locate the said low tension electricity line, he has submitted a representation on 29.3.2016 to the Assistant Executive Engineer, Operation & Maintenance, Tamil Nadu Generation and Distribution Corporation Limited, Pallipalayam, the second respondent herein, who has also prepared a detailed estimate amounting to Rs.29,600/- as per the sanction order in Letter No.696/A63/018/2016-17 on 10.5.2016 and the petitioner had also paid the said amount on 21.5.2016 vide receipt no.162-03/16-118. The said sanction order has also been communicated to the Assistant Engineer, Operation & Maintenance, Tamil Nadu Generation and Distribution Corporation Limited, Kokkarayanpettai, the third respondent herein. Thereafter, the respondents 2 & 3 have made all arrangements to re-locate the lines. At this stage, Mr.Krishnamoorthy, the fourth respondent herein has given his objection on 13.7.2016 alleging that the relocation of the low tension electricity line would affect his right of enjoyment of the cart track formed in S.F.Nos.106/1A, 106/1B and 105/2C. Joining hands with the fourth respondent, the respondents 5 to 7 have also objected to the relocation of the electricity line. Now the matter is pending and no order has been passed on the petitioner's representation. Therefore, a direction be issued, he pleaded.

3. The learned standing counsel for the respondents 1 to 3 also submitted that the petitioner's request is pending after the receipt of the objections.

4. This Court, considering the fact that the request of the petitioner is pending for consideration along with the objections raised by the respondents 4 to 7, hereby directs the third respondent to consider the request of the petitioner for relocation of the low tension electricity line along with the objections raised by the respondents 4 to 7 and pass appropriate

orders within a period of two weeks from the date of receipt of a copy of this order. The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

ss
To

1. The Chairman
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800, Anna Salai
Chennai 600 002
2. The Assistant Executive Engineer
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Tamil Nadu Generation and
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3. The Assistant Engineer
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Kokkarayanpettai 638 007
Namakkal District

+1cc to Mr.N.Manokaran, Advocate Sr.36391

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srg 19/06/2018

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