

N THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 27.08.2018

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.13095 of 2013 and
MP.Nos.1 of 2013 and 1 of 2014

G.Jayaram

Petitioner

..Vs..

1.The Divisional Engineer
Tamilnadu Electricity Board (TNEB)
Hosur
Krishnagiri District.

2.The Assistant Engineer
Tamilnadu Electricity Board (TNEB)
Bagalur. Hosur Taluk
Krishnagiri district.

Respondents

PRAYER : Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 1st and 2nd respondents to erect the 100 KVA transformer as per the sanctioned vide letter no. 625/S/79/10 dated 28.06.2010 and 626/S/074/10 Dated 28.06.2010 at Deveerapally Village, Hosur Taluk, Krishnagiri District.

For Petitioner : Mr.G.M.Ananthakumar

For Respondents : Mr.M.Varunkumar
For R1 & R2

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O R D E R

The relief sought for in this writ petition is for a direction to direct the respondents 1 and 2 to erect the 100 KVA transformer as per the sanctioned vide letter no. 625/S/79/10 dated 28.06.2010 and 626/S/074/10 Dated 28.06.2010 at Deveerapally Village, Hosur Taluk, Krishnagiri District.

2. The grievance of the writ petitioner is that he is a marginal farmer cultivating the vegetable crops and mulberry through his agricultural lands. For cultivation, the writ petitioner is using the electricity power supply and the grievances of the writ petitioner is that the 3rd respondent are unnecessarily installing the electricity posts over and above the sanctioned posts as per the letter of the respondents 1 and 2 dated 28.06.2010. At the outset, the learned counsel appearing for the petitioner states that the 3rd respondent is causing financial loss to the Electricity Board by unnecessarily erecting number of polls over and above the sanctioned one. Further, it causes inconvenience to the writ petitioners also. Thus, the writ petitioner has constrained to move the present writ petition.

3. The learned counsel appearing for the respondent Board states that the transformers were already erected and the writ petitioner is also getting power supply. This apart, the non-sanctioned posts erected are to be removed by the Board and on account of the pending writ petitions, they are unable to remove the posts which were erected. Even in the counter affidavit filed by the respondents, it is stated that the sanctioned posts are 11 in numbers and on account of the objections raised by the parties, they have proposed to pull line over more than 35 posts.

4. In this regard, the learned counsel appearing for the petitioner also states that they have wasted public money by erecting more posts without any proper sanctioning. All these aspects are to be considered by the officials concerned for initiating appropriate action against such irregularities. However in respect of the present writ petition on hand, the grievances of the writ petitioner has been redressed and he is getting power supply uninterruptedly as per the Supply Code. This being the factum of the case, the claim of erection of posts and transformers are to be done in accordance with the procedures contemplated under the Regulations and without wasting the public money.

5. The writ petition stands disposed of with the above observation. No costs. Consequently connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-V)

//True copy//

Sub Assistant Registrar

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To

1.The Divisional Engineer
Tamilnadu Electricity Board (TNEB)
Hosur
Krishnagiri District.

2.The Assistant Engineer
Tamilnadu Electricity Board (TNEB)
Bagalur. Hosur Taluk
Krishnagiri district.

+1cc to Mr.M.Varunkumar, Advocate SR.No.59367

W.P.No.13095 of 2013

GMV (24/09/2018)



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