

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 21.06.2018

CORAM

THE HON'BLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.14797 of 2008
and M.P.No.1 of 2008

P.Dasaratha Reddi

... Petitioner

Vs.

1. The Executive Engineer,
Tamil Nadu Electricity Board,
Tondiarpet, Chennai - 600 081.
2. The Assistant Engineer,
Tamil Nadu Electricity Board,
Manali New Town Section,
Chennai - 600 103.
3. The Assistant Engineer,
(General Constructions)
Tamil Nadu Electricity Board,
Durga Devi Nagar, Korukkupet,
Chennai - 600 021.

... Respondents

Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, forbearing the respondents, their men, agents and subordinates from and in any manner erecting and drawing Electricity Transformer and High Tension Lines in and across/above the piece of vacant house site of the petitioner situated at No.149, Vellivoyalchavadi Village, Ponneri Taluk, Tiruvallur District, comprised in Grama Natham Old Survey No.210/1(part), New Survey No.312/1, measuring to an extent of 354 square metres i.e. 3811 sq. feet.

For Petitioner : Mr.R.Munuswamy

For Respondents : Mr.P.R.Dhilipkumar

ORDER

This Writ Petition has been filed to forbear the respondents, their men, agents and subordinates from and in any manner erecting and drawing Electricity Transformer and High Tension Lines in and across/above the piece of vacant house site of the petitioner situated at No.149, Vellivoyalchavadi Village, Ponneri Taluk, Tiruvallur District, comprised in Grama Natham Old Survey No.210/1(part), New Survey No.312/1, measuring to an extent of 354 square metres i.e. 3811 Sq. feet.

2. The petitioner has purchased the above land after getting loan from the Nationalised Bank and he is the absolute owner of the said land as per the patta and sale deed issued to the petitioner. While so, on 18.06.2007, the respondents' department have attempted to erect an Electricity Transformer in the petitioner's site, though there were lot of poramboke and government lands available in the locality. Hence, the petitioner went to the respondents' office and gave his objections, but, the respondents have refused to receive his objections and informed him that they cannot change their plan for his sake. Hence, the petitioner, with no other alternative, has filed this Writ Petition to forbear the respondents, their men, agents and subordinates from and in any manner erecting and drawing Electricity Transformer and High Tension Lines in and across/above the piece of vacant house site of the petitioner's land.

3. Mr.P.R.Dhilipkumar, the learned counsel appearing for the respondents would submit that the said Electricity Transformer has been erected in some other locality and they have not erected any transformer or high tension wire above the land of the petitioner, and hence, nothing survives in this Writ Petition.

4. Based on the above submissions made by the learned counsel for the respondents, the Writ Petition is dismissed. No Costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

सत्यमेव जयते

raja

+lcc to Mr.R.Munuswamy, Advocate, S.R.No.39256
+lcc to Mr.P.R.Dhilip kumar, Advocate, S.R.No.39421

W.P.No.14797 of 2008
and M.P.No.1 of 2008

NMI (CO)
BM 02/08/2018