

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.04.2018

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

**W.P.No.2297 of 2006
And
W.P.M.P.No.59 of 2013**

Arulmigu Anjaneyaswamy Thirukkoil
Rep. by its Executive Officer

... Petitioner

Vs.

1.The Chairman

The Tamil Nadu Electricity Board,
No.800, Anna Salai,
Chennai – 600 002.

2.The Assistant Engineer,
Seven Wells Area Office,
Tamil Nadu Electricity Board,
No.23, Malayappan Street,
Chennai – 600 001.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to remove the materials erected by them for the purpose of putting up an high Voltage transformer in front of and adjacent to the temple Entrance and Rajagopuram or to the front side wall of the temple situated in No.14, barracks Street, Seven Wells, Chennai – 600 001.

For Petitioner : Mr.D.R.Sivakumar

For Respondents : Mr.P.R.Dhilip Kumar

O R D E R

The petitioner has filed this writ petition seeking issuance of Writ of Mandamus directing the respondents to remove the materials erected by them for the purpose of putting up an high voltage transformer in front of and adjacent to the Temple entrance and Rajagopuram or to the front side wall of the Temple situated in No.14, Barracks Street, Seven Wells, Chennai.

2.On an earlier occasion, when the matter was taken up for hearing, this Court requested the learned counsel appearing on either side to visit the premises for finding out the feasibility of shifting the structures installed for erecting the transformer.

3.Accordingly, the learned counsel appearing for the petitioner filed a memo dated 10.04.2018 and the learned counsel appearing for the respondent filed a memo dated 09.04.2018.

4.In the memo, the respondents have stated that as per the direction of this Court, inspection was conducted on 07.04.2018 in the

presence of all necessary parties. The Temple Authorities and the Electricity Board Officials were present and after lot of deliberations a common suggestion was put forth by the parties and as such two alternative sites were shown for erecting transformer. It was suggested to shift the transformer 55.10 ft. away from the existing place towards the Eastern side and another suggestion was to shift the transformer 77 ft. away from the existing place towards the Western side.

5.It is further stated that the respondents have agreed to shift the poles for erecting transformer 55.10 ft. away from the existing place towards the Eastern side. With regard to the suggestion of erecting RMU (Ring Main Unit), the respondents have made it clear to the Temple Authorities that the conventional transformer will be erected and after getting sanction from the Board Office it can be converted to RMU at later stage.

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6.In view of the above, the writ petition is disposed of in terms of the memo filed by the respondent dated 09.04.2018. No costs. Consequently, the connected miscellaneous petition is also closed.

10.04.2018

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Speaking Order/ Non Speaking Order

Index: Yes/ No

Internet: Yes/ No



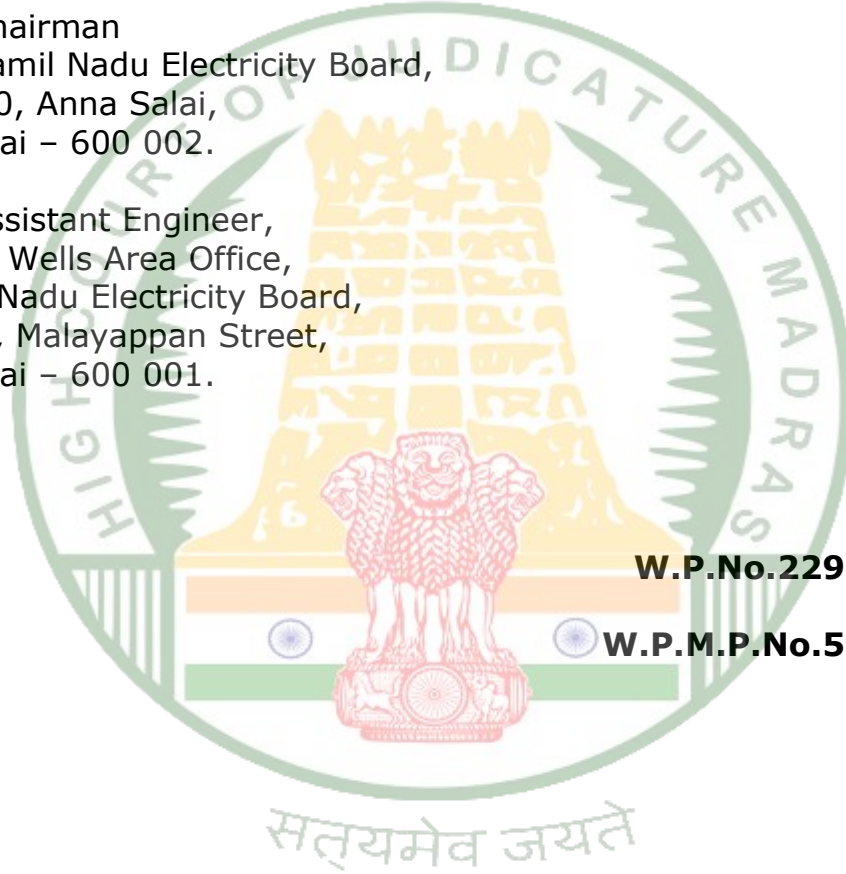
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M.DHANDAPANI,J.

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To

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The Tamil Nadu Electricity Board,
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