



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.07.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

WEB COPY

W.P.(MD) No.14343 of 2018

and

W.M.P.(MD) No.12975 of 2018

Achammal

... Petitioner

vs.

1.The District Collector
Tuticorin District

2.The Superintendent of Police
Tuticorin District

3.The Superintending Engineer
TANGEDCO, Tuticorin District

4.The Assistant Engineer
TANGEDCO
Kayathar, Tuticorin

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus forbearing the respondents herein, their men, servants or any one claiming under them from in any manner erecting electrical poles and transformers in S.No.54/9 and 54/13 (previously S.No.179/5) at Kadambur Village, Kovilpatti Taluk, Tuticorin District as per representation of the petitioner, dated 27.06.2018.

For Petitioner : Mrs.D.Farjana Ghoushia

For Respondents : Mr.N.Shanmugaselvam

Additional Government Pleader for R1 & R2

Mrs.Srimathi

Standing Counsel for R3 & R4

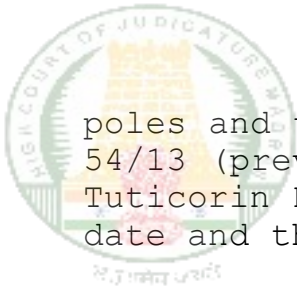
O R D E R

Mr.N.Shanmugaselvam, learned Additional Government Pleader, takes notice for the respondents 1 and 2 and Mrs.Srimathi, learned Standing Counsel takes notice for the respondents 3 and 4.

2. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

<https://hcservices.ecourts.gov.in/hcservices/>

3. It is the grievance of the petitioner that her representation dated 27.06.2018 seeking not to erect electrical



poles and transformers in her land, comprised in Survey Nos.54/9 and 54/13 (previously S.No.179/5) at Kadambur Village, Kovilpatti Taluk, Tuticorin District, has not been considered by the respondents till date and therefore, she has filed the present writ petition.

4. This Court has not expressed any of its view with regard to the merits of the representation made by the petitioner. It is needless to point out that whenever a representation of this nature is made, the respondents are duty bound to consider the same in one way or the other. Non-consideration of the same would amount to dereliction of ordinary duties of their office and as such, this Court would be justified in invoking its powers conferred under Article 226 of the Constitution of India to direct them to consider the petitioner's representation within a stipulated time.

5. In view of the limited prayer sought for in this writ petition, there shall be a direction to the third respondent to consider the petitioner's representation dated 27.06.2018 on its own merits and take further action in accordance with law, within a period of six weeks from the date of receipt of a copy of this order. Such an exercise shall be done after giving due opportunity to the petitioner as well as to the persons who may be interested in the subject matter.

6. With the above directions, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar

To

1.The District Collector,
Tuticorin District.

2.The Superintendent of Police,
Tuticorin District.

+1CC to Mr.G.Mariappan Advocate in SR.No.71400.

KRK

DS/PN/SAR-2 :13.07.2018: 2P/4C

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and

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