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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.09.2018

CORAM

THE HONOURABLE MR. JUSTICE V. PARTHIBAN

W.P.[MD]No.19401 of 2018

and

W.M.P.[MD]No.17245 of 2018

C.Arockiasamy

: Petitioner

Vs.

1.The Superintending Engineer,
Tamil Nadu Electricity Board,
Meenakshinaickanpatty,
Dindigul District.

2.The Assistant Electrical Engineer,
Tamil Nadu Electricity Board (Distribution),
Vedasanthur,
Dindigul District.

3.The Junior Engineer,
Tamil Nadu Electricity Board,
Vedasanthur,
Dindigul District.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents not to install the High Voltage Electrical Transformer in front of the petitioner's house situated at Plot No.10, in S.No.679/1, 679/2 and 675/3-B, Fathima Nagar, Vedasanthur Town, Dindigul District by considering my written objection dated 05.09.2018 within a stipulated time as prescribed by this Court.

For Petitioner

: Mr.A.Chandrakumar

For Respondents

: Ms.M.Rajeswari

for Mr.S.M.S.Johnny Basha

O R D E R

The petitioner has approached this Court against the proposed action on behalf of the respondent to erect High Voltage Transformer in front of his house. According to him, if such High voltage Transformer is erected, that will endanger the lives of the family members of the petitioner and also the lives of the people living in the neighbourhood. According to the petitioner, there is poramboke land available within a short distance of his house. The same can be identified for the purpose of the erection of the proposed transformer. Unfortunately, the respondents have chosen the place in front of the petitioner's house for erection of High Voltage Transformer.



2. In the above circumstances, the petitioner submitted his representation dated 05.09.2018 to the second and third respondents and requested them to shift the erection of the transformer to the adjacent poramboke land available. However, according to the petitioner, without considering the objections of the petitioner, the official respondents are attempting to put up the transformer. Therefore, the petitioner is before this Court with the prayer as cited supra.

3. Mr. S. M. S. Johnny Basha, learned Standing Counsel takes notice for the respondents and would submit that direction may be issued to the respondents to consider the representation of the petitioner dated 05.09.2018 within the time stipulated by this Court.

4. In view of the limited prayer being sought in the writ petition, the writ petition is being disposed of at the admission stage itself with the following direction:

"The respondents / competent authorities shall consider the objections raised by the petitioner by his representation dated 05.09.2018 and in case it is technically suitable, the erection of the proposed transformer may be located in the poramboke land as suggested by the petitioner. In any event, the respondents / competent authorities are directed to pass appropriate orders on the representation of the petitioner within a period of two [2] weeks from the date of receipt of a copy of this order and communicate the same to the petitioner. Till the order is issued on the representation by the petitioner, the respondents / competent authorities are directed not to precipitate the matter."

No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar (CS-III)

To

1. The Superintending Engineer,
Tamil Nadu Electricity Board,
Meenakshinaickanpatty,
Dindigul District.

2. The Assistant Electrical Engineer,
Tamil Nadu Electricity Board (Distribution),
Vedasanthur,
Dindigul District.



3.The Junior Engineer,
Tamil Nadu Electricity Board,
Vedasanthur,
Dindigul District.

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+1CC TO MR.A.CHNADRAKUMAR ADVOCATE IN S.R.No.82931.

MR

DS RP SAR-3:10.09.2018: 3P/5C

ORDER MADE IN
W.P.[MD]No.19401 of 2018
07.09.2018