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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.06.2019

CORAM

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P.No.23712 of 2012

and

M.P.No.1 of 2012

S.Gopalakrishnan

..Petitioner

Vs

1.The Superintending Engineer
(O&M) Distribution,
TANGEDCO,
South Division,
No.110, K.V.S.S.Complex,
K.K.Nagar, Chennai.

2.The Chief Engineer,
Operations and Maintenance,
TANGEDCO,
South Division,
K.K.Nagar, Chennai.

3.The Assistant Engineer,
TANGEDCO, CEDC, North Division,
Pammal, Chennai - 600 075.

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, seeking issuance of a writ of mandamus, directing the respondents 1 and 2 to take action against the third respondent for erecting the pole in front of door No.14, Ramalingam Street, M.G.R.Nagar, Anakaputhur, Chennai - 600 070 and consequently direct the respondents to shift the electricity pole erected in front of door No.14, Ramalingam Street, M.G.R.Nagar, Anakaputhur, Chennai - 600 070 and erect the same in a different place based upon the representation of the petitioner dated 6.8.2012.

For Petitioner : Mr.R.Bharanidharan

For Respondents : Mr.S.K.Rameshwar
Standing Counsel

O R D E R

Heard Mr.R.Bharanidharan, learned counsel for the petitioner, Mr.S.K.Rameshwar, learned Standing Counsel for the



respondents and perused the materials available on record.

2. This writ petition has been filed for issuance of a writ of mandamus, to direct the respondents 1 and 2 to take action against the third respondent for erecting the pole in front of Door No.14, Ramalingam Street, M.G.R.Nagar, Anakaputhur, Chennai - 600 070 and consequently direct the respondents to shift the electricity pole erected in the aforesaid place to different place based upon the representation of the petitioner dated 6.8.2012.

3. The learned counsel for the petitioner would state that it would suffice, if a direction is issued to the second respondent to consider the representation of the petitioner.

4. The learned Standing Counsel for the respondents would submit that the second respondent is ready to consider the representation of the petitioner in accordance with law.

5. In the light of the limited scope of prayer sought for in this writ petition and the submissions made by the learned counsel on either side, this Court, without going into the merits of the case, directs the petitioner to give fresh representation to the second respondent, by enclosing a copy of this order, within a period of two weeks from the date of receipt of a copy of this order. On such compliance, the second respondent shall consider the same and pass orders on merits and in accordance with law, after providing an opportunity to all necessary parties, within a period of eight weeks therefrom.

6. With the above direction, the writ petition is disposed of. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CO)

//True Copy//

Sub Assistant Registrar

Ms
To

1. The Superintending Engineer
(O&M) Distribution,
TANGEDCO,
South Division,
No.110, K.V.S.S.Complex,
K.K.Nagar, Chennai.



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2.The Chief Engineer,
Operations and Maintenance,
TANGEDCO,
South Division,
K.K.Nagar, Chennai.

3.The Assistant Engineer,
TANGEDCO, CEDC, North Division,
Pammal,
Chennai - 600 075.

+1cc to Mr.R.Karthikeyan, Advocate, S.R.No. 54115
+1cc to Mr.SK.Rameshuwar, Advocate, S.R.No. 54297

W.P.No.23712 of 2012
and
M.P.No.1 of 2012

SS (CO)
GN(21/08/2019)