

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.03.2019

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.8395 of 2019

C.Suresh

.. Petitioner

-vs-

1. The District Collector/District Magistrate
Office of the Collectorate
Tiruvallur District
Tiruvallur
 2. The Chief Engineer
Transmission Projects-I
TANTRANSCO
Guindy, Chennai 600 032
 3. The Executive Engineer
Transmission Projects-I
TANTRANSCO
Guindy, Chennai 600 032
- .. Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the respondents respectively to dispose the petitioner's representation dated 05.01.2019 to take immediate action and necessary steps to remove the existing (110000 Volts) High Tension overhead power line in Survey No.429/108.

For Petitioner :: Mr.T.Annaamalai

For Respondents:: Mr.K.Ravikumar
Additional Government Pleader for R1
Mr.Abdul Saleem
Standing Counsel for R2 & 3

ORDER

This writ petition has been filed for issuance of a mandamus directing the respondents to dispose of the petitioner's representation to take immediate action and necessary steps to remove the existing (110000 Volts) High Tension overhead power line in Survey No.429/108.

2. Learned counsel for the petitioner submitted that since the petitioner was living as a tenant for quite a long time, he purchased a property for construction of house in Plot No.15 in DTCP approved layout in Survey No.429/108 and the said property is named as Sri Balaji Nagar Extension-I vide a sale deed dated 29.3.2012. As the petitioner is the absolute owner and in possession of the aforementioned property in Survey No.429/108, he could not raise the construction immediately due to financial crisis. However, he planned to build a house at the DTCP approved housing plot in the year 2016 and also visited the land and found that there was no electricity line. Subsequently, his neighbours and adjacent land owners informed the petitioner that the TANGEDCO was planning to install high tension transmission lines via DTCP approved housing plot. Therefore, he made a representation on 26.10.2016 to the Assistant Engineer, Tower Line Construction, Tamil Nadu Electricity Board, Korattur in person requesting not to install any high tension line. Although the authority acknowledged the same on that date and assured the petitioner that there was no plan/arrangement for installation of the high tension line and instructed the petitioner to put up the house in the said Survey No.429/108, he had also commenced the work of construction with the hope and confidence that there would not be any high tension transmission line in the DTCP approved housing plot. After sometime, he came to know that the respondents have erected the high tension line. Therefore, he has given a representation on 5.1.2019 to take immediate action and necessary steps to remove the existing 110000 Volts high tension power lines in Survey No.429/108. But the respondents have not taken any action. Hence, he has been advised to come to this Court.

3. Although the petitioner has repeatedly mentioned that he has purchased the Plot No.15 in Survey No.429/108 having an extent of 2130 sq.ft., nowhere in the affidavit he has mentioned where the property is situated or the name of the village/taluk. Even the name of the district has not been mentioned. Simply by making a vague statement that the property is situate in Survey No.429/108, if any direction is issued, the same is not going to serve the purpose of the petitioner. Therefore, this Court is not inclined to entertain the writ petition. Accordingly, the writ petition stands dismissed. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

ss

To

1. The District Collector/District Magistrate
Office of the Collectorate
Tiruvallur District
Tiruvallur

2. The Chief Engineer
Transmission Projects-I
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Guindy, Chennai 600 032

3. The Executive Engineer
Transmission Projects-I
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Guindy, Chennai 600 032

+1cc to Mr. T.Annamalai, Advocate, S.R.No. 29893

+1cc to the Government Pleader, S.R.No. 29715

W.P.No.8395 of 2019

AD(CO)
GN(30/04/2019)



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