

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.06.2019

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.13733 of 2019

And

W.M.P.No.13808 of 2019

P.Jayaraj

... Petitioner

Vs.

1.Tamilnadu Generation & Distribution Corporation (TANGEDCO)
Rep. by its Superintending Engineer,
(Supply & Maintenance),
Jothi Nagar, P.N.Road,
Tirupur – 641 603.

2.The Executive Engineer,
Tamilnadu Generation & Distribution Corporation (TANGEDCO)
Mangalam Road, Avinashi,
Tirupur District.

3.The Assistant Engineer,
Tamilnadu Generation & Distribution Corporation (TANGEDCO)
(Supply & Maintenance),
Pooluvapatti Sub-division,
Vavipalayam,
Tirupur District.

4.P.Thangamani

5.P.Gurusamy

6.P.Palanisamy

7.M.Appusamy

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 1 to 3 not to erect any new iron poles/ posts in the land comprised in S.No.465/1 to 6 Neriperichal Village, Tirupur North Taluk, Tirupur District so as to draw the L.T.service line to the lands by giving new service connection to the respondents 4 to 7 or to any third parties without considering the representation dated 9.4.2019 by giving an opportunity of personal hearing to the petitioner.

For Petitioner : Mr.G.Ethirajulu
For Respondents : Mr.S.K.Rameshwar

ORDER

The petitioner has filed this writ petition seeking issuance of Writ of Mandamus, directing the respondents 1 to 3 not to erect any new iron poles/ posts in the land comprised in S.No.465/1 to 6 Neriperichal Village, Tirupur North Taluk, Tirupur District, so as to draw the low tension service line to the lands by giving new service connection to the respondents 4 to 7 or to any third parties without considering the representation dated 09.04.2019 by giving an opportunity of personal hearing to the petitioner.

2.The learned counsel for the petitioner would submit that without going into the merits of the case, it would suffice to issue a

direction to the respondent to consider the representation of the petitioner after hearing the petitioner and pass appropriate orders with regard to erection of low tension pillar in his lands.

3.Mr.S.K.Rameshwar, learned counsel for TANGEDCO concedes to the request made by the learned counsel for the petitioner and would further submit that the petitioner will be given opportunity before erecting the pillar for electricity service connection.

4.Though some of the private persons are added as respondents in the writ petition, however, this Court only issues directions to the Official respondents to consider the representation of the petitioner for which, they may not be prejudiced

5.Considering the limited request made by the learned counsel for the petitioner, without expressing any opinion on the merits of the case, I am inclined to issue a direction to the Official respondents to consider the petitioner's representation/ objection dated 09.04.2019 in erecting the low tension pillar in his land and dispose of the same within a period of six weeks from the date of receipt of a copy of this order. This Court makes it clear that the petitioner's representation/ objection dated 09.04.2019 shall be disposed of after giving

opportunity to the petitioner as well as the private respondents. Till the disposal of the petitioner's representation/ objection dated 09.04.2019, the Official respondents shall not erect any pole/ pillar in the petitioner's land.

6.The writ petition is accordingly disposed of. No costs. Consequently, the connected miscellaneous petition is also closed.

03.06.2019

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Speaking Order/ Non Speaking Order
Index: Yes/ No Internet: Yes/ No

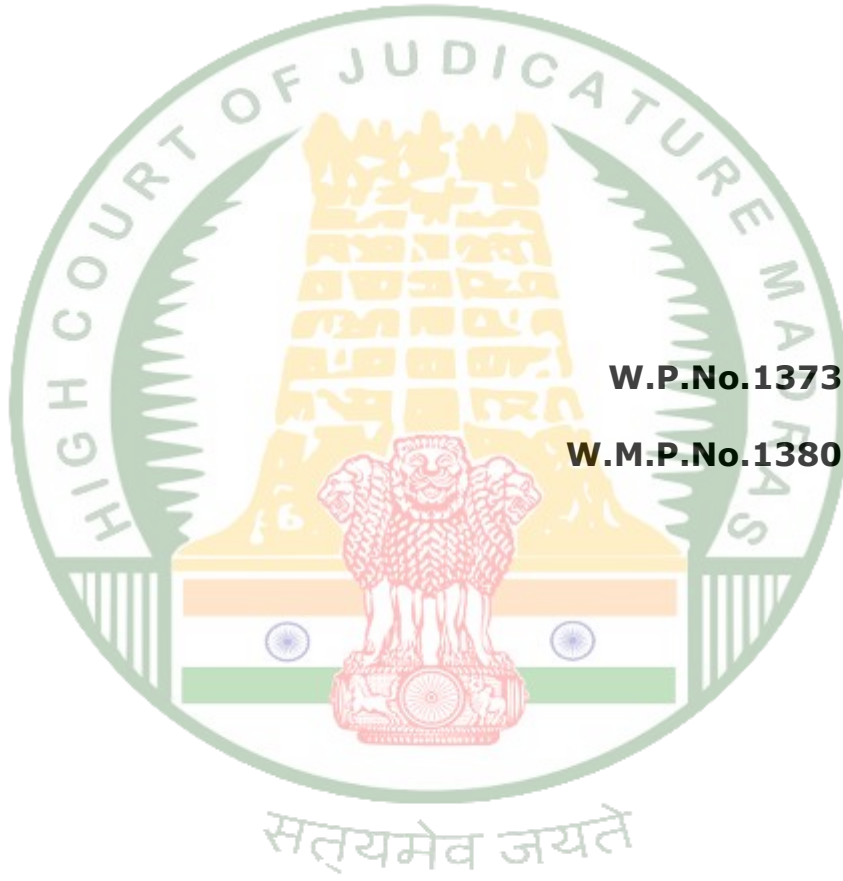
To

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M.DHANDAPANI,J.
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