

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 08.08.2019

Coram:

THE HONOURABLE DR. JUSTICE G. JAYACHANDRAN

Writ Petition No.23189 of 2019

and

W.M.P.No.22887 of 2019

S.Mohanapriyam

.. Petitioner

/versus/

1.The Superintending Engineer,
Puducherry Electricity Department,
Puducherry 605 001.

2.The Executive Engineer/Rural North,
Puducherry Electricity Department,
Puducherry 605 001.

3.The Assistant Engineer,
Puducherry Electricity Department,
Boomianpet Sub Division,
Puducherry 605 005.

4.The Junior Engineer,
Puducherry Electricity Department,
Boomianpet O & M,
Puducherry 605 005.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents herein to shift the transformer erected by the respondents in eastern side of the petitioner's Plot No.89 comprised in R.S.No.207/5/E/3, Cadastre No.967 2/4, Patta No.289 Oulgaret Village, Ulavakarai, Puducherry District within a time frame as may be fixed by this Court by considering the representation of the petitioner dated 23.07.2019.

For Petitioner :Mr.A.S.Ashif Mohammed

For Respondents :Mr.Stalin Abhimaniyu
G.A.(Pondy) for R1 to R4

ORDER

By consent, the writ petition itself is taken up for final disposal at the admission stage itself.

2.The prayer sought for in this writ petition is to issue a Writ of Mandamus directing the respondents herein to shift the transformer erected by the respondents in eastern side of the petitioner's Plot No.89 comprised in R.S.No.207/5/E/3, Cadastre No.967 2/4, Patta No.289 Oulgaret Village, Ulavakarai, Puducherry District within a time frame as may be fixed by this Court by considering the representation of the petitioner dated 23.07.2019.

3.Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Pondy) appearing for the respondents. Records perused.

4. The petitioner has given a representation only on 23.07.2019. Immediately, he has rushed to this Court by way of filing this Writ Petition even without affording some breathing time to the respondents to consider the representation of the petitioner. Further, shifting or altering the line alignment of high voltage line, the Statute provides remedy to the petitioner making representation to the District Collector under Section 17 of the Indian Telegraph Act, 1885 but he has not exhausted that remedy.

5.For the above said reasons, this Writ Petition is dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar (CS)

//True Copy//

Sub Assistant Registrar

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To
1.The Superintending Engineer,
Puducherry Electricity Department,
Puducherry 605 001.

2.The Executive Engineer/Rural North,
Puducherry Electricity Department,
Puducherry 605 001.

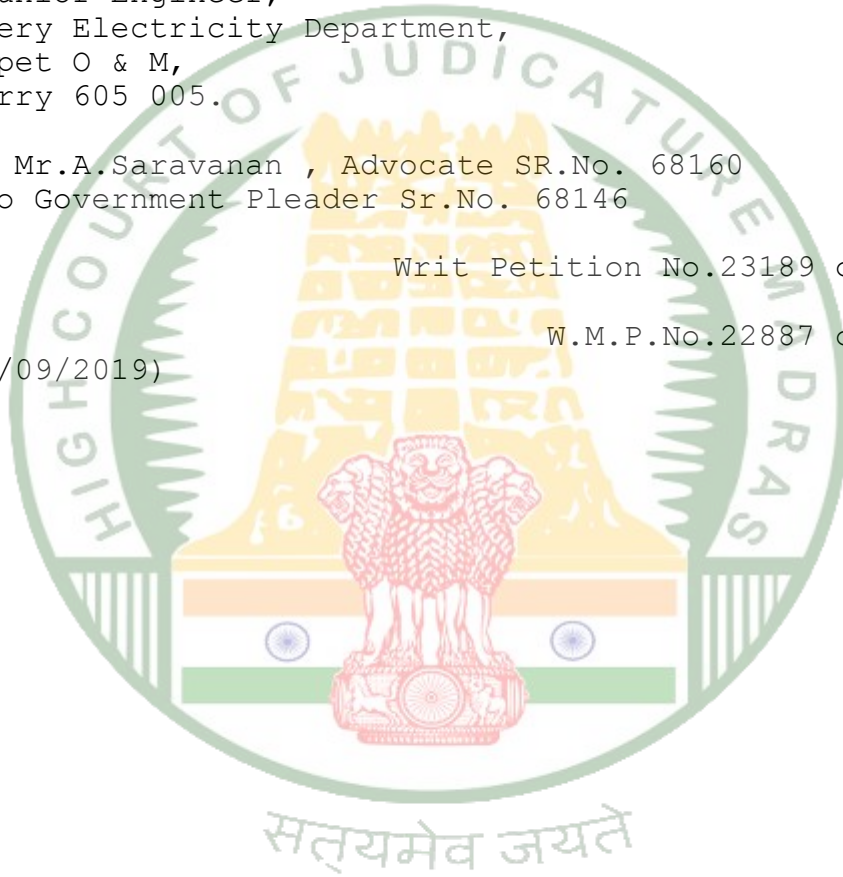
3.The Assistant Engineer,
Puducherry Electricity Department,
Boomianpet Sub Division,
Puducherry 605 005.

4.The Junior Engineer,
Puducherry Electricity Department,
Boomianpet O & M,
Puducherry 605 005.

+1cc to Mr.A.Saravanan , Advocate SR.No. 68160
+1 cc to Government Pleader Sr.No. 68146

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A.SK(10/09/2019)



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