



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 08.05.2019

CORAM:

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P. (MD) No. 11169 Of 2019

and

W.M.P. (MD) No. 8539 of 2019

B.Ramamurthy

... Petitioner

Vs

1. The Superintending Engineer,
TANGEDCO, Thanjavur.
2. The Assistant Executive Engineer,
TANGEDCO, Kumbakonam,
Kumbakonam, Thanjavur District.
3. The Assistant Engineer,
TANGEDCO, Swamimalai,
Kumbakonam, Thanjavur District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, forbearing the respondents herein from increasing the length of Electric Pole to that of 11 KV HT line on the top of the petitioner house property bearing Door No.79/40, situated at Keele Raja Veedhi, Mariamman Kovil Arch near, Swamimalai, Kumbakonam, Thanjavur District, on the basis of the petitioner objections dated 25.04.2019.

For Petitioner : Mr.B.Jameel Arasu

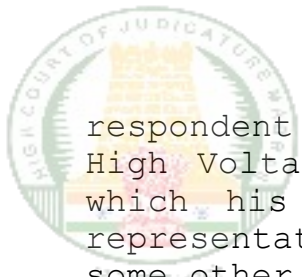
For Respondents : Mrs.Rajeshwari

for M/s.S.M.S.Johnny Basha

ORDER

The Writ Petition has been filed for issuance of a Writ of Mandamus forbearing the respondents from increasing the length of Electric Pole to that of 11 KV HT line on the top of the petitioner's house property bearing Door No.79/40, situated at Keela Raja Veedhi, Mariamman Kovil Arch near, Swamimalai, Kumbakonam, Thanjavur District, on the basis of the petitioner's objections dated 25.04.2019.

2. The petitioner is the resident of Metan Street, Swamimalai, Kumbakonam Taluk, Thanjavur District and he owned a house in survey number 150/6 situated at Keela Raja Veedhi, near Mariamman Kovil Arch, Swamimalai, Kumbakonam, Thanjavur District. He would further submit that there was a electric pole having a voltage of 440 voltage running from Rajaveedhi to Mariamman temple above the petitioner's building and electricity supply is given to all the residents through the above electric pole. Apart from this, the



respondent is also attempting to erect big transformer of 11000 High Voltage-11 KV HT line above the petitioner's house, due to which his life will be endanger and accordingly he made a representation to the authorities for shifting the electric pole to some other place.

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3.The Assistant Executive Engineer has also considered the representation made by the petitioner and passed an order stating that if the petitioner bears the costs for shifting the pole to some other place, the Electricity Department is ready to shift the electric pole, for which the petitioner has also consented and accordingly he prayed to pass appropriate orders.

4. The learned Standing Counsel for the Electricity Department would submit that though the respondents have consented for shifting the electric line to a suitable place, for which the petitioner has to make a fresh an application before the authorities and after payment of necessary charges only, the said work will be carried out.

5. In view of the above, there shall be a direction to the petitioner to make a fresh application to the Electricity Department and after receipt of necessary charges from the petitioner, the Department shall take appropriate action for shifting the electric line to some other place within a period of six weeks from the date of receipt of a copy of this order.

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

sd/
Vacation Officer

/True Copy/

Sub Assistant Registrar

+1 CC to Mr.B.JAMEEL ARASU, Advocate (SR-65409[F] dated 09/05/2019)

aav
MK/15.05.2019/2P/2C

W.P. (MD) No.11169 of 2019
and
W.M.P. (MD) No.8539 of 2019
08.05.2019