

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.11.2020

CORAM :

The HON'BLE MR.JUSTICE M.DURAI SWAMY

W.P.No.14528 of 2016 and
W.M.P. No.12686 of 2016

R. Narasimhan

...Petitioner

- v.
1. The Chairman,
Tamil Nadu Electricity Board,
Mount Road,
Chennai - 600 002.
 2. The Superintending Engineer,
TNEB, Sholinganallur,
Vellore District.
 3. The Executive Engineer,
TNEB, Gandhi Nagar,
Vellore District.
 4. The Assistant Executive Engineer,
TNEB, Kaveripakkam,
Vellore District.
 5. The Junior Engineer,
TNEB, Ocheri,
Vellore District.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India for issuing a Writ of Mandamus to direct the 2nd and 5th respondents not to erect pillar SS-II 250 KVA Electrical transformer in front of petitioner shop entrance at premises bearing Door No.475, MBT Road (Pillaiyar Koil Street), Ocheri, Arakonnam Taluk, Vellore District 632 531 and may be directed to erect the said electrical transformer in an alternative place which is available in the same area based on petitioner representation dated 22.02.2016 and for consequential orders.

For Petitioner : Mr. J. Karunanithi

For Respondents : Mr. M. Varunkumar,
Standing Counsel

O R D E R

The petitioner has filed the above Writ Petition to issue a Writ of Mandamus directing the respondents 2 to 5 not to erect pillar SS-II 250 KVA Electrical transformer in front of petitioner's shop entrance bearing Door No.475, MBT Road (Pillaiyar Koil Street), Ochery, Arakonnam Taluk, Vellore District 632 531 and direct to erect the said electrical transformer in an alternative place, which is available in the same area based on the petitioner's representation dated 22.02.2016 .

2. When the Writ Petition is taken up for hearing, Mr. M. Varun Kumar, learned Standing Counsel appearing for the respondents, submitted that the respondents 2 and 5 had already considered the petitioner's representation dated 22.02.2016 and also prepared an estimate for shifting the transformer to an alternate place, however, the petitioner has not paid the estimated amount so far. Further, the learned counsel submitted that since the estimate was prepared in the year 2016, it would be appropriate to direct the petitioner to give fresh application to the authorities and on receipt of the same, the authorities would consider the same and pass orders in accordance with law.

3. Mr. J. Karunanithi, learned counsel appearing for the petitioner, submitted that the petitioner would give a fresh application within two weeks' time .

4. Having regard to the submissions made by the learned counsel on either side, the petitioner is granted two weeks' time for giving a fresh application for shifting the transformer to an alternate place and on receipt of the same, the respondents 2 and 5 are directed to consider the same and pass orders, on merits and in accordance with law, within a period of four weeks thereafter.

With these observations, the Writ Petition is disposed of. No costs. Consequently, the connected Miscellaneous petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Chairman,
Tamil Nadu Electricity Board,
Mount Road,
Chennai - 600 002.
2. The Superintending Engineer,
TNEB, Sholinganallur,
Vellore District.
3. The Executive Engineer,
TNEB, Gandhi Nagar,
Vellore District.
4. The Assistant Executive Engineer,
TNEB, Kaveripakkam,
Vellore District.
5. The Junior Engineer,
TNEB, Ocheri,
Vellore District.

+1cc to M/s.J.Karunanithi, Advocate, S.R.No.37849

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SS(CO)
RV(11/12/2020)



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