

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.03.2020

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.5610 of 2020
and
W.M.P.No.6565 of 2020

Mahindra World City Developers Limited
Represented by Power of Attorney Holder -R.Eswaran,
Having its registered office at
Mahindra Towers, Ground Floor,
No.17/18, Pattulou Road,
Chennai - 600 002. ... Petitioner

Vs.

1. Tamil Nadu Generation and Distribution Corporation Limited (TANGEDCO),
Represented by its Chairman and Managing Director,
144, Anna Salai, Chennai - 600 002.
2. The Superintending Engineer
General Construction Circle
TANTRANSO
A-10, Thiru-vi-ka Industrial Estate
Guindy, Chennai - 600 032.
3. The Executive Engineering
Transmission Line Construction Circle
Poonamallee, Chennai.
4. The Asst. Divisional Engineering
Transmission Line Construction Circle
Maraimalainagar, Chennai. ... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, praying for the issuance of writ of mandamus, directing the respondents to consider the representation dated 03.10.2018 submitted by the petitioner to the file of the 2nd, 3rd, and 4th respondents for intimating the differential cost to realign the EHT towerline (H78) and accept the payment for differential cost from the petitioner for implementing the realignment and installation of the EHT towerline.

For Petitioner : M/s. Ganesh and Ganesh

For Respondents: Mr. M. Vijaya Mehanath, for R1
Standing Counsel
Mr. Abdul Saleem, for R2 to R4

O R D E R

By consent given by either side, the main writ petition is taken up for final disposal at the admission stage itself.

2. This writ petition has been filed for the issue of writ of mandamus directing the respondents to consider the representation made by the petitioner-Company who are seeking for the re-alignment and installation of the EHT.

3. The learned counsel appearing on behalf of the respondents submitted that the request made by the petitioner-Company was considered and it was not found feasible for re-alignment and therefore, the request was rejected by the proceedings of the second respondent dated 06.11.2019.

4. In view of the above development, the relief as sought for by the petitioner cannot be entertained by this Court. That apart the petitioner also has an alternative remedy under Section 17 of the Indian Telegraph Act, 1885 to file an appeal before the District Magistrate. Therefore, the petitioner is at liberty to avail that remedy and work out its right in accordance with law.

5. This writ petition is disposed of with the above direction. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

सत्यमेव जयते
Assistant Registrar

//True Copy//

Sub Assistant Registrar

AT

To

1. The Chairman and Managing Director,
Tamil Nadu Generation and Distribution
Corporation Limited (TANGEDCO),
144, Anna Salai, Chennai - 600 002.

2. The Superintending Engineer
General Construction Circle
TANTRANSCO
A-10, Thiru-vi-ka Industrial Estate
Guindy, Chennai - 600 032.
3. The Executive Engineering
Transmission Line Construction Circle
Poonamallee, Chennai.
4. The Asst. Divisional Engineering
Transmission Line Construction Circle
Maraimalainagar, Chennai.

+1cc to M/s.Ganesh & Ganesh, Advocate, Sr.No.19808

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PP (CO)
GS (28/05/2020)



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