

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 30.07.2020

CORAM:

THE HON'BLE MR.JUSTICE M.DURAI SWAMY

W.P.No.35282 of 2012 and

M.P.No.1 of 2012

Sri Anantha Theerthangarar Devalayam Trust,
Rep. By its President,
A.S.Bagubali,
S/o. Sigamani,
No.20, Ananthapuram Street,
Saidapet, Arni,
Tiruvannamalai District. ... Petitioner

vs.

1. The Superintending Engineer,
TANGEDCO,
Tamil Nadu Electricity Board,
Tiruvannamalai.
2. The Junior Engineer (O & M),
TANGEDCO,
Tamil Nadu Electricity Board,
Arni Town (East), Arni. ... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, forbearing the respondents from erecting transformers in front of the petitioner's temple in the petitioner's patta land situated in T.S.No.C/1 Block, T.S.No.35/19, Saidapet, Arni Town.

For Petitioner : Mr.C. Prakasam

For Respondent : Mr.M.Varun Kumar
Standing Counsel for TNEB

O R D E R

The petitioner has filed the above Writ Petition to issue a Writ of Mandamus, forbearing the respondents from erecting the transformer in front of the petitioner's temple in the petitioner's patta land situated in T.S.No.C/1 Block, T.S.No.35/19, Saidapet, Arni Town. .

2. When the Writ Petition is taken up for hearing, Mr.C.Prakasam, learned counsel appearing for the petitioner and Mr.M.Varun Kumar, learned Standing Counsel appearing for

the respondents submitted that the respondents have already erected the transformer. Mr. M.Varun Kumar, learned Counsel for the respondents submitted that the transformer was erected on 27.12.2012 and the same was also energised.

3. In view of the submissions made by the learned counsel on either side, the prayer sought for in the Writ Petition has become infructuous. Mr.C.Prakasam, learned Counsel appearing for the petitioner submitted that he would approach the appropriate authority seeking for shifting of transformer. If such application is given to the appropriate authority, the authority may decide the same on merits and in accordance with law.

With these observations, the Writ Petition is dismissed as infructuous. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (Writ)

//True Copy//

Sub Assistant Registrar

Rj

To

1. The Superintending Engineer,
TANGEDCO, Tamil Nadu Electricity Board,
Tiruvannamalai.
2. The Junior Engineer (O & M),
TANGEDCO, Tamil Nadu Electricity Board,
Arni Town (East), Arni.

+1cc to Mr. M.Varunkumar, Advocate, S.R.No.25575

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GJ(CO)
GN(07/08/2020)