

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.07.2020

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P No.8956 of 2020
and W.M.P.No.10889 of 2020

B.Rajeswari,
W/o.Late V.Baskar,
No.44 C-Kumarasamypettai,
Dharmapuri, District - 636 701. ...Petitioner

vs.

- 1.The District Collector,
Dharmapuri District,
Dharmapuri.
- 2.The Executive Engineer,
Tower Line Construction, (TLC)
TANTRANSO,
Dharmapuri-5.
- 3.The Assistant Executive Engineer,
Tower Line Construction, (TLC)
TANTRANSO,
Dharmapuri-5.Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to direct the respondents to consider and pass suitable orders on the petitioner's representation dated 10.10.2019, which seeks for stoppage of installation electric cable/tower and devise alternative mechanism for erecting such electric cable/tower, within the time frame fixed by the Hon'ble Court.

For Petitioner : Mr.S.Marshall

For Respondents: Mr.K.Parameshwaran for R1
Mr.Abdul Saleem for R2 and R3

O R D E R

This writ petition has been filed for a issue of writ of mandamus directing the respondents to consider the objections given by the petitioner on 10.10.2019 before any steps are taken to install any electrical poles or tower in the property belonging to the petitioner.

2. The case of the petitioner is that she is the owner of the property and the second and third respondents took steps to erect electric poles upon the property belonging to the petitioner. The petitioner immediately objected to the same and made a representation to all the respondents. The grievance of the petitioner is that the objections were not considered and the second and third respondents were continuing to take steps to lay the electric poles in the property belonging to the petitioner.

3. When the matter came up for admission on 10.07.2020, this Court directed the learned counsel appearing on behalf of the second and third respondents to take instructions and report back to this Court.

4. Mr. Abdul Saleem, learned counsel appearing on behalf of the second and third respondents on instructions submitted that the first respondent made an inspection last week and a direction has been given to the second and third respondents to file an application in order to pass orders before the process of laying electric poles in the property belonging to the petitioner is undertaken.

5. Mr.K.Parameshwaran, learned Government Advocate appearing on behalf of the first respondent submitted that as and when the application is submitted by the second and third respondents, notice will be issued to the petitioner and he will be heard before orders are passed by the first respondent.

6. Taking into consideration the facts and circumstances of the case and the submissions made by the learned counsel appearing on behalf of the respective respondents, there shall be a direction to the second and third respondents to file the application before the first respondent and the first respondent shall issue notice to the petitioner and consider her objections and shall pass suitable orders strictly in accordance with law within a period of four weeks from the date of submission of the application by the second and third respondents.

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

Sd/-

Assistant Registrar (ADI-MDU)

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Sub Assistant Registrar

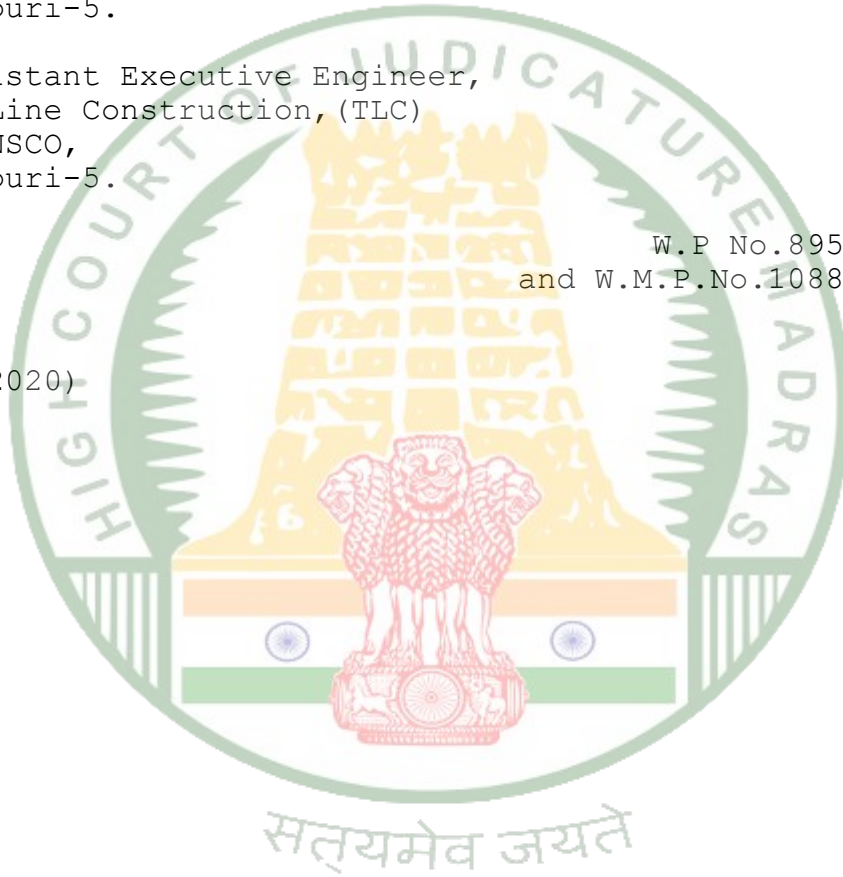
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To

- 1.The District Collector,
Dharmapuri District,
Dharmapuri.
- 2.The Executive Engineer,
Tower Line Construction, (TLC)
TANTRANSCO,
Dharmapuri-5.
- 3.The Assistant Executive Engineer,
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KK (CO)
CB (22/09/2020)



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