

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.11.2020

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.15279 of 2020
and
WMP No.19104 of 2020

Mr.S.Ezhilarasu

..Petitioner

.vs.

- 1.The Chairman,
Tamil Nadu Electricity Board,
Head Office,,
No.144, Anna Salai,
Mount Road,
Chennai - 600 002.
- 2.The Executive Engineer,
Tamil Nadu Electricity Board,
Pudur, Ambattur,
Chennai 600 053.
- 3.The Executive Engineer,
Tamil Nadu Electricity Board,
No. Sidambara Nayakkar Street,
Madanagkuppam Road,
Kallikuppam, Ambattur,
Chennai 600 053.
- 4.The Management,
M/s.Dugar Housing Limited,
Dugar Towers,
Old No.123, new No.34,
Marshalls Road, Egmore,
Chennai 600 008.
- 5.The Management,
Lake Dugar,
M/sDugar Housing Limited,
Ambattur-Puzhal Road,
Ambattur,
Chennai 600 053.

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, seeking Writ of Mandamus, directing the Respondents not to install the electricity transformer at the 5th Respondent's premises.

For Petitioner : Mrs.K.Bharathi

For R 1 to R3 : Mr.P.R.Dhilip Kumar
Standing Counsel

ORDER

This Writ Petition has been filed for the issue of a Writ of Mandamus directing the respondents not to install the Transformer in the premises belonging to the 4th respondent.

2.The case of the petitioner is that his house is right behind the new construction that has been put up by the 4th respondent. The further case of the petitioner is that the 4th respondent has constructed a 14-storey building with about 500 residential units. According to the petitioner, work has started for installing an electricity Transformer within the premises which belongs to the 4th respondent. According to the petitioner, this transformer that is installed by the Electricity Board is very adjacent to the house of the petitioner and if anything untoward happens, it will cause danger to the life of those residents living in and around the building constructed by the 4th respondent.

3.The learned Standing Counsel appearing on behalf of respondents 1 to 3, based on his instructions, submitted that the Transformer is being installed inside the premises that has been constructed by the 4th respondent. The learned Standing Counsel further submitted that the petitioner is living 9 to 10 feet away from the property that has been constructed by the 4th respondent. The learned Standing Counsel submitted that the rear portion of the house belonging to the petitioner is the one which is facing the construction put up by the 4th respondent and it is almost 10 feet away and therefore there is no question of any danger caused to any person or to any of the residents belonging to the locality.

4.In the considered view of this Court, the 4th respondent after completion of the construction has to lay a Transformer since the construction is going to be occupied by nearly 500 families. The transformer is also constructed within the premises of the 4th respondent and even the photographs that are relied upon by the petitioner shows that the transformer is within the compound wall of the newly put up construction. This Court cannot entertain writ petition

merely based on apprehensions. This Court does not find any ground to entertain this Writ Petition and accordingly, the same is dismissed. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

KP

To

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CP(CO)
CB(14/12/2020)

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