

In the High Court of Judicature at Madras

Dated : 03.1.2020

Coram :

The Honourable Mr.Justice T.S.SIVAGNANAM

Writ Petition No.10533 of 2017 & WMP.No.11440 of 2017

Tmt.Muniammal

...Petitioner

Vs

1.The Executive Engineer (O & M),
TANGEDCO/Tamil Nadu Electricity
Board, Arakkonam, Vellore District.

2.The Junior Engineer (O & M),
TANGEDCO/Tamil Nadu Electricity
Board, Guruvarampet, Arakkonam
Taluk, Vellore District.

...Respondents

PETITION under Article 226 of The Constitution of India praying for the issuance of a Writ of Mandamus forbearing the respondents from erecting an electric transformer on the petitioner's property comprised in S.No.297/2A having an extent of East West 24 feet and North South 195 sq.ft., situated at Nadu Street, Viswanathapuram Village, Sembudu Mathura, Arakkonam Taluk, Vellore District until the disposal of petitioner's objection dated 20.4.2017 by the respondents.

For Petitioner : Mr.G.Jeremiah

For Respondents: Mr.Varunkumar

ORDER

I have heard Mr.G.Jeremiah, learned counsel for the petitioner and Mr.Varunkumar, learned Standing Counsel appearing for the respondents.

2. The petitioner seeks a direction from this Court to forbear the respondents from erecting the electrical transformer in the petitioner's property in S.No.297/2A, situated at Nadu Street, Viswanathapuram Village, Sembudu Mathura, Arakkonam

Taluk, Vellore District.

3. From the counter filed by the respondents, it is seen that the transformer has already been erected in the panchayat road and the width of the road is 31½ feet as per the revenue document. Further, from the photographs produced, it is seen that the transformer is in the rear side of the petitioner's house and that the photographs do not show any window or door opening from the rear side. It has been further stated that prior to the representation of the petitioner, which was sent by registered post, the work has been completed and on 21.4.2017, the transformer has been energized. It is also seen that there is a necessity to install a transformer to ensure uninterrupted power supply, as the area is an industrial area.

4. In the light of the stand taken by the respondents, which this Court has no reason to disbelieve, the direction sought for by the petitioner cannot be granted.

5. Accordingly, the above writ petition is dismissed. No costs. Consequently, the connected WMP is also dismissed.

Sd/--

Assistant Registrar(CS-VIII)

//True Copy//

Sub Assistant Registrar

RS

To

1.The Executive Engineer (O & M),
TANGEDCO/Tamil Nadu Electricity Board,
Arakkonam, Vellore District.

2.The Junior Engineer (O & M),
TANGEDCO/Tamil Nadu Electricity Board,
Guruvarajpet, Arakkonam Taluk, Vellore District.

+1cc to Mr.M.Varun Kumar, Advocate SR.1184

WP.No.10533 of 2017&
WMP.No.11440 of 2017

BR(CO)
CB(03/02/2020)