



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.02.2020

CORAM:

THE HONOURABLE MRS. JUSTICE PUSHPA SATHYANARAYANA

W.P(MD)NO.11062 of 2017

WEB COPY

M.Panchavarnam

:Petitioner

.vs.

1.The Assistant Engineer,
Tamil Nadu Electricity Board(Distribution),
Partibanoor,
Ramanathapuram District.

2.S.Samidurai

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the first respondent to remove the electric service line given to the second respondent through the Petitioner's house property in S.No.70/17, Keelaperunkarai Village, Paramakudi Taluk, Ramanathapuram District.

For Petitioner

:Mr.D.Sasikumar

For Respondent-1

:Mr.S.M.S.Johnny Basha

Standing Counsel for TNEB

For Respondent-2

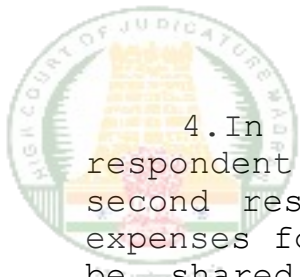
: Ms.G.Prabahari

O R D E R

This Writ Petition is filed seeking issuance of a Writ of Mandamus directing the first respondent to remove the electric service line given to the second respondent through the Petitioner's house property in S.No.70/17, Keelaperunkarai Village, Paramakudi Taluk, Ramanathapuram District.

2.Heard the learned counsel appearing on either side and perused the materials placed before this court.

3.The objection made by the Petitioner is that the second respondent has been given the electricity service connection/line through the Petitioner's house property. Now the learned counsel appearing for the first respondent stated that the shifting of the electric poles is possible. However, it is stated that the expenses for such shifting is only to be borne by the parties. Here the beneficiary is the second respondent and the electricity service line is taken through the Petitioner's land. It is at the request of the Petitioner, the electricity service line is to be shifted. But, however, the beneficiary is the second respondent.



4. In view of the above-stated position, let the first respondent call for a joint meeting of both the Petitioner and second respondent, decide the line of shifting and also the expenses for such shifting to be borne by whom or whether it has to be shared equally between the Petitioner and the second respondent. Therefore, the first respondent is directed to issue notice in this regard to the Petitioner and second respondent, afford them an opportunity of personal hearing, decide the line of shifting and the expenses for such shifting to be borne by whom. The above said exercise shall be completed within a period of four weeks from the date of receipt of a copy of this order.

5. With the above directions, the Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar (CS)

vsn

To

The Assistant Engineer,
Tamil Nadu Electricity Board (Distribution),
Partibanoor,
Ramanathapuram District.

+1 CC to M/s.G.PRABHAHARI, Advocate (SR-8194[F] dated 25/02/2020)

+1 CC to M/s.D.SASIKUMAR, Advocate (SR-8422[F] dated 26/02/2020)

ORDER MADE IN

W.P (MD) NO.11062 of 2017

25.02.2020

SMA/05/03/2020/2P/4C