



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.09.2021

CORAM :

THE HON'BLE MR.SANJIB BANERJEE, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE P.D.AUDIKESAVALU

W.P.No.18627 of 2021

V.S.Duraisamy

...Petitioner

Vs

- 1.The State of Tamil Nadu
Rep by The Principal Energy Secretary
TNEB Energy Department
Fort St.George Chennai-600 009
- 2.The Chairman
Tamil Nadu Electricity Board
N.K.K.P.R.R. Maligai No.844
Anna Salai Chennai-600 002
- 3.The Superintending Engineer
Tamil Nadu Electricity Generation and
Distribution circle EVN Road
Erode Erode
- 4.The Executive Engineer
Operation TNEB 230/110 KV Sub Electricity
Station Igur Erode Erode District
- 5.The Assistant Executive Engineer (Lines)
TNEB Erode Erode District
- 6.The Chief Engineer (Distribution)
Erode Region 948 EVN Road
Erode-9
- 7.The District collector
Erode, Erode District.

...Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorari calling for the records relating to proceedings in L.No.Sa.Po /Operation / Igur /Co.indil /No.106 /2021 dated 30.7.2021 passed by the 4th ,respondent quash the same.



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For the Petitioner : Mr.M.Elango
For the Respondents : Mr.P.Muthukumar,
State Government Pleader,
for RR 1 and 7
: Mr.S.Madhusudhanan,
Stdg. Counsel,
for RR 2 to 6

ORDER

(Order of the Court was made by The Hon'ble Chief Justice)

The grievance of the petitioner is that a particularly old electricity tower close to the petitioner's residence is the cause of fear of the local persons since, according to the petitioner, the tower is in a dilapidated condition and may topple over any time.

2.Section 17 of the Indian Telegraph Act, 1885 permits a representation to be made to the District Magistrate exercising jurisdiction for the removal or alteration of a telegraph line or post.

3. Since the petitioner contends that the electrical tower in this case is old and likely to collapse, the petitioner is permitted to carry a representation to the seventh respondent District Collector within a fortnight from date, whereupon the said official will issue notice to the relevant transmission corporation and take a reasoned decision on the representation after making an inspection of the site.

4. It is hoped that the representation is dealt with in appropriate manner within a period of ten weeks from the date of receipt thereof. Since the transmission company is also represented herein, such body is required to immediately inspect the relevant tower and take appropriate measures, if the tower is found to be in a dilapidated condition.

W.P.No.18627 of 2021 is disposed of without any order as to costs. W.M.P.Nos.19866 and 19867 of 2021 are closed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar



sra

To:

- 1.The Principal Energy Secretary,
TNEB Energy Department,
Fort St.George,
Chennai-600 009.
- 2.The Chairman
Tamil Nadu Electricity Board,
N.K.K.P.R.R.Maligai, No.844,
Anna Salai, Chennai-600 002.
- 3.The Superintending Engineer,
Tamil Nadu Electricity Generation and
Distribution circle,
EVN Road, Erode.
- 4.The Executive Engineer,
Operation TNEB 230/110 KV Sub Electricity Station,
Igur Erode Erode District.
- 5.The Assistant Executive Engineer (Lines),
TNEB Erode, Erode District.
- 6.The Chief Engineer (Distribution),
Erode Region, 948, EVN Road,
Erode-9.
- 7.The District collector,
Erode District.

+lcc to the Government Pleader Sr No.44912
+lcc to Mr.M.Elango, Advocate Sr No.44741
+lcc to Mr.S.Madhusudanan, Advocate Sr No.44767

W.P.No.18627 of 2021

PA (CO)
PR (14/09/2021)