



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.09.2021

CORAM:

THE HONOURABLE Mr.JUSTICE N.ANAND VENKATESH

W.P. No. 18505 of 2021
and WMP No.19736 of 2021

S.Rajesh

...Petitioner

Vs

1. The Chairman
Tamil Nadu Electricity Board,
Anna Salai, Chennai 600 002.
2. The Assistant Executive Engineer,
Tamil Nadu Electricity Board,
G.N.Chetty Road
T.Nagar, Chennai - 600 017.
3. The Assistant Engineer,
Tamil Nadu Electricity Board,
G.N.Chetty Road
T.Nagar
Chennai 600 017.
4. Karthick

...Respondents

Prayer .: Writ petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus to forbear the respondents 1 to 3 herein from erecting and installing transformer in front of the entrance of the petitioner house and western side of house, which is situated in Old T.S.No.8/1, 8/2 and 8/3 New T.S.No.6418 of Mambalam Village and R.S.Nos.8/1, 8/2, 132/1, and 132/2 bounded on the North by Canara Bank's property, South by Venkat Narayana Road, East by Plot No.98 and West by passage leading to the property of Canara Bank, measuring total extent of 5190 sq. ft. without following the mandates prescribed Indian Electricity Rules insofar as it is endanger to the safety of the petitioner's family and consequently, direct the 3rd respondent herein to dispose of the petitioner's representation dated 13.08.2021 within a stipulated time frame.

For Petitioner : Mr.P.Dinesh Kumar

For Respondent : Mr.L.Jai Venkatesh
Standing counsel for R1 to R3



O R D E R

This writ petition has been filed for the issue of a writ of mandamus directing the third respondent to consider the objection/representation made by the petitioner on 13.08.2021, wherein, the petitioner has objected for the erection and installation of the transformer in front of his house, which, according to the petitioner, is in violation of Rule 80 of the Indian Electricity Rules (hereinafter referred to as 'the Rules').

2. The case of the petitioner is that he has a residential house and he is living along with his family in the said house. During August '2021, the petitioner found that an attempt was being made to erect a transformer right opposite to the house of the petitioner. The petitioner objected to the same, since it was attempted to be erected within the safe distance provided under Rule 80 of the Rules. The further case of the petitioner is that immediately after objections were made by the petitioner, a meeting was called for and the petitioner expressed his grievance and the officials belonging to the electricity department also informed the petitioner that they will take into consideration the objections made by the petitioner and will relocate the proposed erection of the transformer.

3. The grievance of the petitioner is that in spite of the same, the Contractor was once again taking steps to erect the transformer. Therefore, the petitioner made a representation/objection in this regard on 13.08.2021. Since the same was not considered, the present writ petition has been filed before this Court seeking for appropriate direction.

4. Heard the learned counsel for the petitioner and the learned standing counsel appearing on behalf of the respondents 1 to 3.

5. Taking into consideration the facts and circumstances of the case and the limited relief sought for in this writ petition, there shall be a direction to the third respondent to consider the objection/representation made by the petitioner on 13.08.2021 and take a decision strictly in accordance with law within a period of two weeks from the date of receipt of a copy of this order. Till a final decision is taken by the third respondent, status quo shall be maintained.

6. The petitioner is directed to make a fresh representation to the third respondent along with a copy of this order.



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7. This writ petition is disposed of with the above direction. No costs. Consequently connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

RR

To

1. The Chairman,
Tamil Nadu Electricity Board,
Anna Salai,
Chennai 600 002.
2. The Assistant Executive Engineer,
Tamil Nadu Electricity Board,
G.N.Chetty Road,
T.Nagar,
Chennai 600 017.
3. The Assistant Engineer,
Tamil Nadu Electricity Board,
G.N.Chetty Road,
T.Nagar,
Chennai 600 017.

+1 cc to Mr.P.Dinesh Kumar,Advocate Sr.No.44395

+1 cc to Mr.L.Jaivenkatesh,Advocate Sr.No.44795

W.P.No. 18505 of 2021

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NSK 21/09/2021