

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.12.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.29849 of 2019

E.Byrappa

... Petitioner

Vs.

1.The Superintending Engineer,
TANGEDCO
Salem Main Road,
near Aavin Diary,
Krishnagiri District,
Krishnagiri.

2.The Executive Engineer,
TANGEDCO,
Rayakottai Road,
Hosur.

3.The Assistant Executive Engineer,
TANGEDCO, Anchetty Road,
Denkanikottai,
Krishnagiri District.

... Respondents

Prayer:Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus Directing the respondents to remove the transformer placed in the petitioner Patta land bearing Survey No. 104/ 7A2, to an extent of 0.10 Cents situated at Kakkadasam Village, Denkanikottai Taluk Krishnagiri District, by considering the petitioners representation dated 04.09.2019.

For Petitioner	: Mr.R.Jayaprakash
For Respondents	: Mr.L.Jaivenkatesh
	Standing Counsel (TNEB)

O R D E R

The petitioner has filed this writ petition seeking issuance of Writ of Mandamus directing the respondents to remove the transformer placed in the petitioner Patta land bearing Survey No. 104/ 7A2, to an extent of 0.10 Cents situated at

Kakkadasam Village, Denkanikottai Taluk, Krishnagiri District, by considering the petitioners representation dated 04.09.2019.

2. The case of the petitioner is that he is the owner of the property in S.F.No.104/7A2, Kakkadasam Village, Denkanikottai, Krishnagiri District, and he purchased the said property by way of a registered Sale Deed dated 08.09.2016 and from the date of purchase, the petitioner is in peaceful possession and enjoyment of the said properties. It is averred by the petitioner that the petitioner have planned to construct the house in the above said property. At this juncture, without the knowledge of the petitioner, the respondents have fixed the high voltage transformer in his land and he was not given any opportunity to raise any objections for fixation of high voltage transformer. Hence the petitioner have approached the respondents and paid Rs.500/- for removal of the same and also sent a detailed representation in this regard on 04.09.2019. However the respondents have failed to consider the same and continued to proceed with the fixation of transformer. Aggrieved by the same, the present petition is filed.

3.Though very many grounds have been raised, learned counsel for the petitioner submits that it would suffice if this Court issues direction to the respondents to consider the petitioner's representation dated 04.09.2019 and pass orders on the same within a particular time frame fixed by this Court.

4.The learned Government Advocate has no objection for said order being passed.

5. In view of the aforesaid submissions, this Court without expressing any opinion on the merits of the case directs the respondents to consider the petitioner's representation dated 04.09.2019 on merits and in accordance with law and pass appropriate orders, within a period of twelve weeks from the date of receipt of a copy of this order. This writ petition is accordingly disposed of. No costs.

6. This writ petition is accordingly disposed of. No costs.

Sd/-

Assistant Registrar(CS-III)

// True Copy //

Sub Assistant Registrar

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To

- 1.The Superintending Engineer,
TANGEDCO
Salem Main Road,
near Aavin Diary,
Krishnagiri District,
Krishnagiri.
- 2.The Executive Engineer,
TANGEDCO,
Rayakottai Road,
Hosur.
- 3.The Assistant Executive Engineer,
TANGEDCO, Anchetty Road,
Denkanikottai,
Krishnagiri District.

+1cc to Mr.R.Jayaprakash, Advocate SR.No.65218

W.P.No.29849 of 2019

SMI (CO)
CB(21/01/2022)