



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.08.2021

CORAM:

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THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P (MD)No.14260 of 2021

K.Mahendran

... Petitioner

versus

1.The Executive Engineer,
TANGEDCO,
Arasaradi, Madurai.

2.The Assistant Electricity Engineer,
TANGEDCO,
Palanganatham, Madurai.

... Respondents

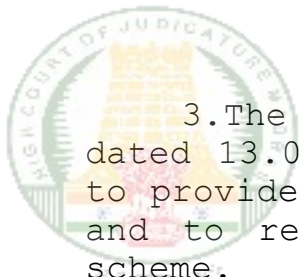
Prayer: Writ Petition filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Mandamus, directing the respondents to remove the electricity line crossing the petitioner's patta land in Survey No.163/2 with an extent of 1312 sq.ft., situated at Vivekanandar Street, Pasumpon Nagar, Palanganatham, Ward No.76, Madurai by considering his representation dated 07.07.2021 and reply dated 21.07.2021.

For Petitioner : Mr.M.Ramu
For Respondents : Ms.M.Rajeswari for
Mr.S.M.S.Johny Basha

O R D E R

The petitioner seeks the shifting of an electric line, which is said to be crossing his patta land in Survey No.163/2 at Vivekanandar Street, Pasumpon Nagar, Palanganatham, Ward No.76, Madurai.

2. The petitioner states that the aforesaid land is a patta land belonging to the petitioner. Electric pole bearing pole Nos.36 and 37 were erected at Vivekananda Street. The electric line extending from pole No.36 to pole No.37 is said to be crossing the petitioner's patta land. Therefore, the petitioner submitted an application to shift the same, especially because no connections have been taken from the pole No.37.



3.The petitioner points out that he received a communication dated 13.07.2021 from the Electricity Department calling upon him to provide relevant revenue records, the FMB sketch, plan approval and to remit the necessary charges in terms of the applicable scheme.

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4. On receipt thereof, the petitioner states that he provided the necessary documents. However, the respondents have failed to shift the electric line.

5. Ms.M.Rajeswari, learned Standing Counsel appearing for TANGEDCO, accepts notice on behalf of both the respondents. She states that if the terms and conditions of the communication dated 13.07.2021 are complied with, the petitioner's application would be disposed of favourably within a reasonable time frame.

6. Accordingly, the petitioner is directed to submit a fresh application enclosing the documents indicated in the communication dated 13.07.2021. If any document is not available, adequate explanation should be provided for not submitting such documents. The petitioner shall erect a fence around his property so as to clearly demarcate the boundaries thereof. Such fencing shall be carried out before submitting the fresh application to the respondents. The requisite fees or charges in connection with the transfer of the electric line should be remitted along with such application. Upon receipt thereof, the second respondent herein is directed to take necessary action within a period of 30 days from the date of receipt of the fresh application along with necessary documents and necessary charges/fees.

7. W.P.(MD).No.14260 of 2021 is disposed of on these terms without any order as to costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Sbn

To

1.The Executive Engineer,
TANGEDCO,
Arasaradi, Madurai.



2.The Assistant Electricity Engineer,
TANGEDCO,
Palanganatham, Madurai.

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

W.P (MD) No.14260 of 2021

13.08.2021

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