



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :03.09.2021

CORAM:

**THE HONOURABLE MR.JUSTICE V. BHARATHIDASAN
and
THE HONOURABLE MRS.JUSTICE J.NISHA BANU**

W.P. (MD) No.15732 of 2021

and

W.M.P. (MD) Nos.12679, 12680 and 12681 of 2021

Kanagaraj ... Petitioner

-vs-

- 1.The Secretary,
Highways Department,
Secretariat,
St. George Fort,
Chennai - 600 009.
- 2.The Chairman cum Managing Director,
Tamilnadu Generation and Distribution
Corporation Ltd., (TANGEDCO),
144, Anna Salai,
Chennai-600 002.
- 3.The District Collector,
District Collector Office,
Thoothukudi,
Thoothukudi District.
- 4.The Thasildar,
Thasildar Office,
Vilathikulam,
Thoothukudi District.
- 5.The Divisional Engineer,
Highways Department,
Contruction & Maintenance,
Thoothukudi,
Thoothukudi District.
- 6.The Assistant Divisional Engineer,
Highways Department,
Contruction & Maintenance,
Vilathikulam,
Thoothukudi District.



7.The Assistant Engineer,
Tamilnadu Generation and Distribution
Corporation Ltd., (TANGEDCO),
S.S. Complex, Vilathikulam,
Vilathikulam,
Thoothukudi District-628 904.

8.The Junior Engineer,
Tamilnadu Generation and Distribution
Corporation Ltd., (TANGEDCO),
Nagalapuram,
33/11, KV SS, Nagalapuram,
Vilathikulam,
Thoothukudi District-628 904.

9.The Superintendent of Police,
Thoothukudi,
Thoothukudi District.

10.The Project Manager,
U.Solar Energy Solutions Private Limited,
St.lMark's Road,
Bangalore-561 001.

... Respondents

PRAYER : Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order issued by the fifth respondent office vide proceedings in Lr.No:2766/2021/ID02, dated 12.07.2021 and consequently direct the respondents to erect the electric pole and transmit heavy voltage electric H.T. line in alternative route.

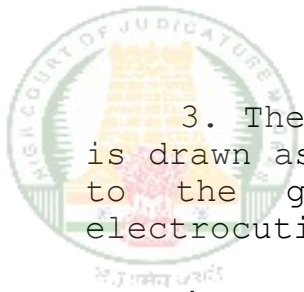
For Petitioner	:	Mr.R.Karunanidhi
For R1, R3 to R6	:	Mr.P. Thilak Kumar
and R9		Government Advocate

O R D E R

(Order of the Court was made by V.BHARATHIDASAN,J.)

This writ petition has been filed challenging the impugned order passed by the fifth respondent, dated 12.07.2021 and for a consequential direction to the respondents to erect the electric pole and transmit heavy voltage electric H.T. line in alternative route.

2. The petitioner claims to be a practicing Advocate and also a District Secretary of a political party. He challenged the order passed by the fifth respondent, giving permission to the 10th respondent to lay electric pole line in the Palayamkottai - Kurukkuchalai - Aruppukottai Road.



3. The grievance of the petitioner is that if the electric line is drawn as specified in the route, it will cause huge inconvenience to the general public and also there is a likelihood of electrocution.

4. A perusal of the impugned order, it could be seen that the fifth respondent has given permission to the 10th respondent, to lay electric pole only in the extreme boundary of the road and not in any private property. Apart from in the impugned order, as many as conditions have been imposed by the fifth respondent, for the safety of the general public.

5. In the above circumstances, if at all any violation of any one of the conditions, it is always open to the petitioner to approach the authorities to take action against the 10th respondent, the petitioner cannot challenge the order on mere apprehension. Hence, we find no merit in the writ petition. Accordingly, the Writ Petition is dismissed. No costs. Consequently, the connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

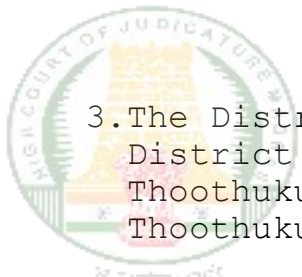
akv

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.

To

- 1.The Secretary,
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St. George Fort, Chennai - 600 009.
- 2.The Chairman cum Managing Director,
Tamilnadu Generation and Distribution
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144, Anna Salai,
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3.The District Collector,
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4.The Thasildar,
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Corporation Ltd., (TANGEDCO),
S.S. Complex, Vilathikulam,
Vilathikulam,
Thoothukudi District-628 904.

7.The Superintendent of Police,
Thoothukudi,
Thoothukudi District.

+1 CC to M/s.SPL GP (SR-28189[F] dated 06/09/2021)

ORDER MADE IN
W.P. (MD) No.15732 of 2021
03.09.2021

GC(24.09.2021) 4P 9C