



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.06.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.NO.10396 OF 2020

A.Mani

... Petitioner

vs.

1. The State Rep. By
The District Collector,
Sathuvacharri Vellore,
Vellore District.
2. The Revenue Divisional Officer,
Sathuvacharri, Vellore District.
3. The Rural Development Officer,
Anaikattu Taluk, Vellore District.
4. The Tahsildar,
Anaikattu Taluk,
Vellore District.
5. The Superintendent Engineer,
Tamil Nadu Electric Board,
Gandhi Nagar, 10 East Main Road,
Vellore.
6. The Assistant Engineer,
Tamil Nadu Electric Board,
Anaikattu Taluk, Vellore District.
7. The Junior Engineer,
Tamil Nadu Electric Board,
No.19, Anna Salai,
Vasanthapuram Kossapettah,
Vellore District.

...Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India for writ of Mandamus directing the respondents to consider and take appropriate legal action based



on petitioner representation dated 28.01.2020 to remove a four Electric Post and one Electric Transformer in my agricultural land vide survey No.406/3 in Patta No.27 situated at Erraiyankadu Panchayat, Devakaran Patti, Anaikattu Taluk, Vellore District within a stipulated time.

For Petitioner : Mr.S.Sugendran
For Respondents 1 to 4 : Mr.K.H.Ravikumar,
Government Advocate
For Respondents 5 to 7 : Mr.L.Jaivenkatesh
Standing Counsel

ORDER

This writ petition has been filed for a mandamus seeking for a direction to the respondents to remove the four electric posts and one electric transformer from the petitioner's patta land bearing S.No.406/3 in patta No.27 situated at Erraiyankadu Panchayat, Devakaran Patti, Anaikattu Taluk, Vellore District based on the petitioner's representation dated 28.01.2020 within a time frame to be fixed by this Court.

2. According to the petitioner, the four electric posts and one electric transformer laid in his property affects his agricultural operations. According to the petitioner, the property where the four electric posts and one electric transformer have been installed belongs to him absolutely and patta also stands in his name. He seeks for removal of the four electric posts and one electric transformer. He has given a representation on 28.01.2020 to the respondents requesting them to remove the same. Since the said representation has not been considered till date, the petitioner has filed this writ petition.

3. Heard Mr.S.Sugendran, learned counsel for the petitioner, Mr.K.H.Ravikumar, learned Government Advocate appearing for the respondents 1 to 4 and Mr.L.Jaivenkatesh, learned standing counsel for the respondents 5 to 7.

4. The proceedings of the Tahsildar, Anaikattu dated 24.08.2020 has been placed before this Court by the learned Government Advocate appearing for the respondents 1 to 4 and would submit that the land where the electric poles were installed is a poramboke land excepting for one pole which is installed in the petitioner's land comprised in S.No.406/3. According to the said proceedings, the remaining poles/posts are



installed in the Government Poramboke Land. However, the same is disputed by the learned counsel for the petitioner and would submit on instructions that all the four electric posts and one electric transformer are installed in the petitioner's property comprised in S.No.406/3 for which patta stands in the name of the petitioner's father.

5. No prejudice would be caused to the respondents, if the petitioner's representation dated 28.01.2020 is considered on merits and in accordance with law after affording a fair hearing to the petitioner

6. For the foregoing reasons, this Court directs the sixth respondent to pass final orders on the petitioner's representation dated 28.01.2020 requesting for removal of the four electric posts and one electric transformer in the property comprised in S.No.406/3 in patta No.27 situated at Erraiyankadu Panchayat, Devakaran Patti, Anaikattu Taluk, Vellore District within a period of twelve weeks from the date of receipt of a copy of this order after affording a fair hearing to the petitioner including granting him a right of personal hearing.

7. With the aforesaid direction, this writ petition is disposed of No costs.

Sd/-

Assistant Registrar(CS-VIII)

//True Copy//

Sub Assistant Registrar

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To

1. The State Rep. By
The District Collector,
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Vellore District.
2. The Revenue Divisional Officer,
Sathuvacharri, Vellore District.
3. The Rural Development Officer,
Anaikattu Taluk, Vellore District.
4. The Tahsildar,
Anaikattu Taluk,
Vellore District.



5. The Superintendent Engineer,
Tamil Nadu Electric Board,
Gandhi Nagar, 10 East Main Road,
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Vellore District.

7. The Junior Engineer,
Tamil Nadu Electric Board,
No.19, Anna Salai,
Vasanthapuram Kossapettah,
Vellore District.

+1cc to M/s.S.Sugendran, Advocate, S.R.No.39415

+1cc to Mr.L.Jaivenkatesh, Advocate, S.R.No.39178

+1cc to the Government Pleader, S.R.No.39356

W.P.No.10396 of 2020

SR-II (CO)
RLP (29/06/2022)