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IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 25.04.2022
CORAM
THE HONOURABLE DR. JUSTICE ANITA SUMANTH
W.P.No.10318 of 2022

S.Dhanalakshmi

... Petitioner

Vs

- 1.The Chairman cum Managing Director,
Tamil Nadu Generation and Distribution Corporation Limited,
6th Floor, TANTRANSCO Building,
144, Anna Salai, Chennai - 600 002.
- 2.The Superintendent Engineer,
(Chennai North), TANGEDCO
Anna Salai, Chennai - 600 002.
- 3.The Executive Engineer
TANGEDCO
Ponneri, Thiruvallur District
- 4.The Assistant Executive Engineer
TANGEDCO
Panjetty, Ponneri Taluk,
Thiruvallur District
- 5.Assistant Engineer,
No.1, Thottakara Street, Arani,
Chennai - 601101.
- 6.The Inspector of Police,
Arani.
[R-6 suo moto impleaded vide this order] ... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to consider and dispose the petitioners representation dated 03.02.2022 within time frame fixed by this Court.

For Petitioner : Mr.P.Arulmugavel

For R1 to R5 : Ms.Keerthana Shenoi
For Mr.L.Jai Venkatesh
Standing Counsel

For R6 : Mr.TNC Kaushik
Additional Government Pleader.



O R D E R

Being a proper and necessary party, Inspector of Police, Arani, is suo motu impleaded as R6.

2. Ms. Keerthana Shenoi, learned counsel for Mr. L. Jai Venkatesh learned Standing Counsel accepts notice for R1 to R5 and Mr. TNC Kaushik, learned Additional Government Pleader accepts notice for the newly impleaded respondent i.e. R6.

3. The petitioner has sought a mandamus directing the respondents to dispose his representation dated 03.02.2022, wherein he seeks re-fixation of certain HT lines, that run across his plot. The photographs placed in the typed set show that the positioning of the lines is very proximate to the structure in the plot, and apprehension of the petitioner seems quite legitimate.

4. In fact, the official respondents also appear to have initiated proceedings for shifting of the lines and the petitioner has remitted shifting charges as early as in September 2021, duly received and acknowledged by the respondents.

5. The delay, Ms. Shenoi would state, is on an account of objections raised by 3rd parties to the proposed re-routing. She states, on instructions, that the objections have been examined and found not to be credible. However, they have been unable to shift the lines, since the police have also been recalcitrant in providing them assistance as specifically sought for by them under their representations dated 06.01.2022, 10.01.2022 and 22.04.2022, submitted before the Inspector of Police, Arani.

6. It is very unfortunate that an arm of the State does come to the aid of another, particularly in situations like this. Needless to say, if, God forbid, there be any untoward incident by virtue of the close positioning of the electric lines, the police would be equally at fault for the same and would be held equally responsible therefor.

7. Mandamus as sought for is issued. There is further, a direction to R6 to act upon representations dated 06.01.2022, 10.01.2022 and 22.04.2022 and provide necessary assistance. Let the needful be done within a period of two weeks from today.



8. With the above directions, this Writ Petition stands disposed. No costs.

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Sd/-
Assistant Registrar (CS VI)

//True Copy//
Sub Assistant Registrar

Jeni/SKa

To

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No.1, Thottakara Street, Arani,
Chennai - 601101.

6.The Inspector of Police,
Arani.

+1 cc to Mr.L.JaiVenkatesh Advocate sr28032

+1 cc to Mr.Arumugavel Advocate sr28242

+1 cc to Government Pleader High Court, sr28915

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VGII(co)
aa08/06/2022