



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.05.2022

CORAM

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.NO.12797 OF 2022

AND

W.M.P.NOS.12254 & 12256 OF 2022

1.D.Shankar

2.V.Jayalakshmi

...Petitioners

Vs.

1.The District Collector,
G.S.T. Road,
Chengalpattu - 603 001.

2.The Superintendent Engineer,
TANGEDCO,
No.130, G.S.T. Road,
Chengalpattu - 603 001.

3.The Tamil Nadu Electricity Board,
Represented by its Chairman,
Head Office,
No.825, Link Road,
Anna Salai, Triplicane,
Chennai - 600 002.

...Respondents

Prayer : Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, to forbear the respondents in any manner interfering with the possession of the petitioners for the purpose of laying High Tension Electric/Wirings in respect to the lands in SR No.47/1A, 47/1B, 47/2A, 49/3A and 49/4A1 of Elanthope, Pattravakkam Village, Chengalpattu District except otherwise in accordance with law.

For Petitioners : Mr.R.S.V.Raghavachari

For Respondents : Mr.C.Jayaprakash
Government Advocate [for R1]
Mr.Madhusuthanan [for R2 & R3]
Standing Counsel (TNEB)



ORDER

The Writ Petition is filed for a direction to the respondents not to interfere with the petitioners' possession for the purpose of laying High Tension Electric Cable/Wire in the lands in SR No.47/1A, 47/1B, 47/2A, 49/3A and 49/4A1 of Elanthope, Pattravakkam Village, Chengalpattu District.

2. The petitioners assert that they are the owners of the above mentioned property. It is stated that at the behest of a third party Company, the respondents are taking steps to lay High Tension Lines and that the petitioners reasonably apprehend that the respondents would infringe on the property rights of the petitioners by laying such lines through the petitioners' property. After presenting more than one representation, the present Writ Petition is filed.

3. Mr.C.Jayaprakash, learned Government Advocate accepts notice for the first respondent and Mr.Madhusuthanan, learned standing counsel, accepts notice for the second and third respondents.

4. On instructions, the learned Government Advocate states that an inquiry is ongoing in respect of the representation of the petitioners dated 25.03.2022. He further states that the said inquiry would be concluded within a reasonable time.

5. Accordingly, without entering into any findings on the merits of the matter, the first respondent is directed to proceed with and conclude the inquiry, after providing a reasonable opportunity to the petitioners and to any third party, who may be affected by the decision. Such inquiry shall be concluded within a period of four (4) weeks from the date of receipt of a copy of this order. Until such inquiry is concluded, the respondents shall not lay the High Tension Cable within the petitioners' property.

6. With the above directions, the Writ Petition stands disposed of. No costs. Connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar
(Vacation Officer)

// True Copy //

Sub Assistant Registrar

Sni



To

1.The District Collector,
G.S.T. Road,
Chengalpattu - 603 001.

2.The Superintendent Engineer,
TANGEDCO,
No.130, G.S.T. Road,
Chengalpattu - 603 001.

3.The Chairman,
The Tamil Nadu Electricity Board,
Head Office,
No.825, Link Road,
Anna Salai, Triplicane,
Chennai - 600 002.

+1cc to Mr.S.Madhusudanan, Advocate Sr.No.31442

+1cc to the Government Pleader Sr.No.31480

+2ccs to Mr.P.Gnana Sekaran, Advocate Sr.No.31557 (18/05/2022)

W.P.No.12797 of 2022

RK(CO)
RVM(16/05/2022)