



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.03.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.[MD]No.4524 of 2022

and

W.M.P.[MD]No.3799 of 2022

WEB COPY

K.K.Shiva Shankaran

... Petitioner

Vs.

1.The Chief Engineer (Distribution),  
Tamil Nadu Generation and Distribution Corporation Limited,  
(TANGEDCO),  
Panthayathidal, Madurai.

2.The Superintending Engineer,  
Tamil Nadu Generation and Distribution Corporation Limited,  
(TANGEDCO),  
Panthayathidal, Madurai.

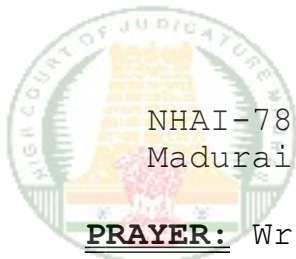
3.The Executive Engineer,  
Tamil Nadu Generation and Distribution Corporation Limited,  
(TANGEDCO),  
Madurai North Division,  
Alakar Kovil Road,  
Madurai.

4.The Assistant Executive Engineer,  
Tamil Nadu Generation and Distribution Corporation Limited,  
(TANGEDCO),  
Thiruppalai Sub Division,  
Thiruppalai  
Madurai.

5.The Assistant Engineer (Distribution),  
Tamil Nadu Generation and Distribution Corporation Limited,  
(TANGEDCO),  
New Natham Road,  
Thiruppalai  
Madurai.

6.The Project Director,  
National Highways Authority of India,  
NHAI-785,  
Madurai.

7.The Authorized Officer and  
Special District Revenue Officer,  
NH 785, 785E and 85 (New),  
Madurai,  
National Highways Authority of India,



NHAI-785,  
Madurai.

... Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, forbearing the respondents from erecting and installing transformer close to the petitioner's property situated at 1/584 Tagore Nagar 3<sup>rd</sup> Street, New Natham Road, Thiruppalai, Madurai insofar as it affects the ingress and egress endanger to the safety of the residents and without following the India Electricity Act and Rules and direct the respondents to shift the transformer to some other suitable place.

|                        |                                                 |
|------------------------|-------------------------------------------------|
| For Petitioner         | : Mr.V.Sriram                                   |
| For Respondents 1 to 5 | : Mr.S.Deenadhayalan<br>Standing Counsel        |
| For Respondent No.7    | : Mr.M.Lingadurai<br>Special Government Pleader |

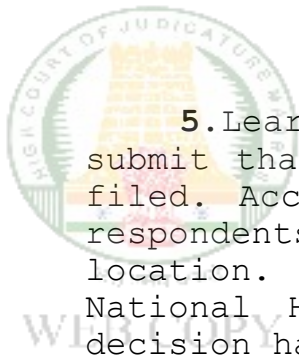
### O R D E R

This writ petition has been filed for a Mandamus to forbear the respondents from erecting and installing transformer close to the petitioner's property situated at 1/584 Tagore Nagar 3<sup>rd</sup> Street, New Natham Road, Thiruppalai, Madurai.

2. According to the petitioner, there is a proposal by the respondents 1 to 5 to shift the transformer from the existing location near the petitioner's property to a location behind the petitioner's property which will cause hindrance to the petitioner. According to the petitioner a reply has also been received from the fifth respondent on 14.02.2022 stating that on account of the expansion of the road, there is a proposal to shift the transformer. The petitioner apprehends that the transformer will be shifted to a place which will cause hindrance to him and it may also be dangerous to the residents of that area which includes the petitioner. In such circumstances, the petitioner has filed this writ petition.

3. Heard Mr.V.Sriram, learned Counsel appearing for the writ petitioner, Mr.S.Deenadhayalan, learned Standing Counsel who accepts notice on behalf of respondents 1 to 5 and Mr.M.Lingadurai, learned Special Government Pleader who accepts notice on behalf of the seventh respondent.

4. The petitioner has filed photographs of the existing transformer. The petitioner has also filed a reply dated 14.02.2022 received by him from the fifth respondent stating that due to the expansion of the road, the transformer will be shifted to another place. The petitioner's apprehension is that the transformer would be shifted to a place close to his house, thereby causing hindrance to him for his free movement and also endanger the safety of the residents in that area.



5.Learned Standing Counsel for the respondents 1 to 5 would submit that merely on an apprehension, this writ petition has been filed. According to him, no final decision has been taken by the respondents 1 to 5 to shift the transformer from the existing location. It all depends upon the laying of the road by the National Highways Authority. According to him, as of now, no decision has been taken.

6.This Court after giving due consideration to the submissions made by the respective Counsels is of the considered view that no prejudice would be caused to the respondents if before shifting the transformer from the existing location, a notice is given to the petitioner informing him about the place of the new location for the transformer.

7.Learned Counsel for the petitioner is also satisfied if such an exercise is done on the directions issued by this Court. No serious objection has also been raised by the respondents for such an exercise.

8.For the foregoing reasons, this writ petition is disposed of by directing the fifth respondent to intimate the petitioner the place of the new location in case the transformer is shifted from the existing location near the petitioner's property situated at 1/584 Tagore Nagar 3<sup>rd</sup> Street, New Natham Road, Thiruppalai, Madurai, to any other location close to the petitioner's property.

9.With the above direction, this Writ Petition stands disposed of. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

MR

**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 Chief Engineer (Distribution),  
Tamil Nadu Generation and Distribution Corporation Limited,

<https://hcservices.ecourts.gov.in/hcservices/>



(TANGEDCO),  
Panthayathidal, Madurai.

2.The Superintending Engineer,  
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NH 785, 785E and 85 (New),  
Madurai,  
National Highways Authority of India,  
NHAI-785,  
Madurai.

+1 CC to M/s.V.SRIRAM, Advocate ( SR-12364[F] dated 16/03/2022 )

+1 CC to M/s.SPL GP ( SR-12482[F] dated 16/03/2022 )

W.P.[MD]No.4524 of 2022  
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CK(CO)  
KB(24.03.2022) 4P 10C

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