



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE **ABDUL QUDDHOSE**

W.P. (MD)No.7184 of 2022

WEB COPY

R.K.Sivasamy

Vs

.. Petitioner

1.The Superintendent of Engineer,
Tamil Nadu Electricity Board Office,
Trichy.

2.The Superintendent of Engineer,
Tamil Nadu Electricity Board Office,
Pudukottai.

3.The Assistant Executive Engineer,
Tamil Nadu Electricity Board Office,
Trichy.

4.The Assistant Executive Engineer,
Tamil Nadu Electricity Board Office,
Pudukottai.

5.The Executive Engineer,
Tamil Nadu Electricity Board Office,
Alunthoor, Nagamangalam,
Trichy District.

.. Respondents

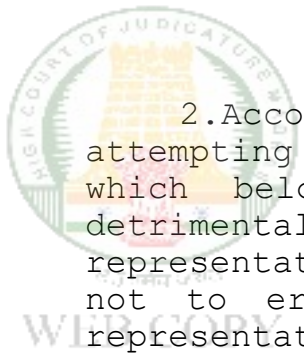
PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, restraining the respondents to put up electric tower in Survey No.62/1B1 at Poothakudi Village, Viralimalai Taluk, Pudukottai District and by considering petitioner's representation, dated 10.04.2022.

For Petitioner : Mr.S.Pugalendhi

For Respondents : Mr.S.Deenadhayalan
Standing Counsel

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to restrain the respondents from putting up electric tower in the petitioner's property bearing Survey No.62/1B1 at Poothakudi Village, Viralimalai Taluk, Pudukottai District, based on the representation made by the petitioner, dated 10.04.2022.



2. According to the petitioner, the official respondents are attempting to put up electric tower in the aforementioned property, which belongs to him absolutely. According to him, it is detrimental to his interest. In such circumstances, he has given a representation on 10.04.2022, requesting the official respondents not to erect the electric tower in his property. Since his representation has not been considered till date, he has come forward with this writ petition.

3. Heard Mr.S.Pugalendhi, learned counsel appearing for the petitioner and Mr.S.Deenadhayalan, learned Standing Counsel, who accepts notice on behalf of the respondents.

4. On instructions, the learned Standing Counsel would submit that it is not possible to shift the electric tower from the petitioner's property.

5. No prejudice will be caused to the respondents, if the petitioner's representation is considered on merits and in accordance with law, as it involves the erection of an electric tower.

6. For the foregoing reasons, this Court directs the second respondent to consider the petitioner's representation, dated 10.04.2022, requesting the second respondent not to put up electric tower in his land bearing Survey No.62/1B1 at Poothakudi Village, Viralimalai Taluk, Pudukottai District and pass final orders on merits and in accordance with law, after affording a fair hearing to the petitioner, within a period of eight weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

TM

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 Superintendent of Engineer,
Tamil Nadu Electricity Board Office,
Trichy.

2.The Superintendent of Engineer,
Tamil Nadu Electricity Board Office,
Pudukottai.

3.The Assistant Executive Engineer,
Tamil Nadu Electricity Board Office,
Trichy.

4.The Assistant Executive Engineer,
Tamil Nadu Electricity Board Office,
Pudukottai.

5.The Executive Engineer,
Tamil Nadu Electricity Board Office,
Alunthoor, Nagamangalam,
Trichy District.

+1 CC to M/s.S. PUGALENTHI, Advocate (SR-19233[F]
dated 19/04/2022)

+1 CC to M/s.S. DEENADHAYALAN, Advocate (SR-19496[F]
dated 19/04/2022)

W.P. (MD)No.7184 of 2022
18.04.2022

TP (CO)
KB (29.04.2022) 3P 8C