



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.(MD)No.8686 of 2022

Veerachamy

... Petitioner

Vs.

1.The District Collector,
Virudhunagar District,
Virudhunagar.

2.The Superintending Engineer,
Tamil Nadu Electricity Board,
87, Pavali Road, Sivagamipuram,
Virudhunagar-626 001.

3.The Assistant Engineer,
Tamil Nadu Electricity Board,
Sulakkarai, Virudhunagar,
Pin: 626 001.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the second and third respondents not to erect the electricity pole on the agricultural lands belongs to the petitioner as well as the petitioner's wife comprising in Survey Nos.71/1B, 168/2, 168/4 and 169/1 situated at Alagapuri Village, Virudhunagar District, by considering the petitioner's representation sent to the second and third respondents dated 16.04.2022 in accordance with law within the time frame as stipulated by this Court.

For Petitioner	: Mr.L.Prabhu
For R-1	: Mr.T.Amjad Khan Government Advocate
For R-2 & R-3	: Mr.S.Deenadhayalan Standing Counsel

O R D E R

This writ petition has been filed for a Mandamus seeking for a direction to the second and third respondents not to erect the electricity poles in the agricultural land belonging to the petitioner as well as his wife comprising in Survey Nos.71/1B, 168/2, 168/4 and 169/1 situated at Alagapuri Village, Virudhunagar District, based on the petitioner's representation, dated 16.04.2022, within a time frame to be fixed by this Court.

2.Heard Mr.L.Prabhu, learned counsel appearing for the petitioner, Mr.T.Amjad Khan, learned Government Advocate, who accepts notice on behalf of the first respondent and Mr.S.Deenadhayalan, learned Standing Counsel, who accepts notice on behalf of the respondents 2 and 3.



3. According to the petitioner, the second and third respondents are attempting to erect the electric pole in his agricultural lands, for which he is having a patta. According to the petitioner, there are alternate lands available for the respondents to erect the electricity poles. The same is disputed by the learned Standing Counsel for the respondents.

4. However, no prejudice will be caused to the respondents, if the petitioner's representation, dated 16.04.2022, is considered on merits and in accordance with law, after affording a fair hearing to the petitioner, including granting him the right of personal hearing.

5. For the foregoing reasons, this Court directs the second and third respondents to consider the petitioner's representation, dated 16.04.2022, requesting the respondents not to erect the electricity pole in his agricultural lands situated in Survey Nos.71/1B, 168/2, 168/4 and 169/1 situated at Alagapuri Village, Virudhunagar District and pass final orders on merits and in accordance with law, after affording a fair hearing to the petitioner, including granting him the right of personal hearing, within a period of twelve weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar (Admin I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

TM

To

1. The District Collector,
Virudhunagar District,
Virudhunagar.

2. The Superintending Engineer,
Tamil Nadu Electricity Board,
87, Pavali Road, Sivagamipuram,
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3. The Assistant Engineer,
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Pin: 626 001.

+1 CC to M/s.L. PRABHU, Advocate (SR-22481[F] dated 29/04/2022)

+1 CC to M/s.S. DEENADHAYALAN, Advocate (SR-23106[F] dated
02/05/2022)

+1 CC to M/s.SPL.GP (SR-23336[F] dated 04/05/2022)

W.P. (MD)No.8686 of 2022

29.04.2022

MGJ(19.05.2022) 2P 7C

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