



W.P.(MD) No.10605 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.08.2022

CORAM:

THE HON'BLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD) No.10605 of 2021

I.Bhavani

.. Petitioner

Vs

1.The Superintending Engineer,
Madurai Electricity Distribution Circle (Metro),
K.Pudur, Madurai.

2.The Assistant Electrical Engineer,
TNEB, Distribution, (Township),
S.S.Colony, Madurai.

3.P.Jeyakumar

.. Respondents

Prayer :- Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus directing respondents 1 and 2 to shift the transforms installed in Sy.No.18/5, 13/2, Achampathu Village, Madurai South Taluk and Madurai District and in T.S.No.14/2, Block No.2, Ward No.25, Kochadai, Lala Chathiram, Madurai South Taluk to the property which is earmarked for TNEB at the cost of the third respondent herein by considering the petitioner's representation dated 20.05.2021.



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For Petitioner : Mr.R.Balakrishnan
For Respondents : Mr.S.Deenadhayalan
Standing Counsel for R1 & R2
: Mr.P.Mani Anandh for R3

ORDER

Heard the learned counsel for the petitioner, the learned Standing Counsel for respondents 1 and 2 and the learned counsel for the third respondent.

2. The petitioner wants respondents 1 and 2 to shift the petition mentioned transformers to the earmarked sites.

3. When the matter was taken up for hearing, two fold objections were raised by the learned Standing Counsel as well as the learned counsel appearing for the third respondent. The first is that when the petitioner got the property in question in the year 2017, the petition mentioned transformers had already been installed. In other words, the transformers were installed in the year 2015, while the petitioner acquired interest only two years later.



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4. The learned counsel for the respondents draw my attention to the judgment dated 07.03.2018 made in W.A.No.1164 of 2014. The case on hand is similar. That apart, they would also contend that the petition mentioned transformers have not been erected on any land owned by the writ petitioner.

5. I find both the objections to be having force. When a transformer is shifted from its existing location, it would definitely cause serious disruption to the supply system. Therefore, I do not find any ground to grant the relief. On these terms, this Writ Petition is dismissed. No costs.

16.08.2022

Index : Yes/No

Internet : Yes

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G.R.SWAMINATHAN, J.

abr

To

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