



W.P.(MD)No.20238 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.07.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.20238 of 2021

S.Thiruvarul Selvi

... Petitioner

Vs

- 1.The Junior Engineer,
(Maintenance and Operations)
TANGEDCO,
Rayanoor,
Karur District.
- 2.The Superintendent of Police,
Office of the Superintendent of Police,
Karur District.
- 3.The Sub Inspector of Police,
Velliyanai Police Station,
Karur District.
- 4.Manimegalai
(R4 is suo motu impleaded vide Court
order dated 11.11.2021)

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the respondents 2 and 3 to provide adequate police protection for providing additional electricity supply



W.P.(MD)No.20238 of 2021

vide permission No. 14-626/626/E1/024/21-22 dated 06.09.2021 by the first respondent to the petitioner industry within the time stipulated by this Court on the basis of the petitioner's reminder representation, dated 30.10.2021.

For Petitioner : Mr.S.Kanagarajan

For Respondents : Mr.S.Deenadhayan
Standing Counsel for R.1

Mr.K.Balasubramani
Special Government Pleader for R.2 & R.3

Mr.K.Suresh for R.4

ORDER

Heard the learned counsel appearing for the writ petitioner, the learned Standing Counsel appearing for the first respondent, the learned Special Government Pleader appearing for the respondents 2 and 3 and the learned counsel appearing for the fourth respondent.

2. The writ petitioner is running a Polymer Industry. The petitioner applied to TANGEDCO for providing additional electricity supply. Permission was also granted. However, the fourth respondent raised objections and that led to the filing of this writ petition.



W.P.(MD)No.20238 of 2021

3. It is not as if TANGEDCO is proposing to draw electricity lines for the first time over the land of the fourth respondent. The learned Standing Counsel clarifies that only over the existing lines, the new HT lines will be drawn.

4. Of course, the learned counsel appearing for the fourth respondent would state that if only an LT line is running over the land she can apply for shifting of the same subject to payment of charges. If HT line is allowed to be drawn, such shifting may not be possible. To this extent, the fourth respondent may adversely suffer.

5. It is seen that no new poles are going to be laid on the writ petitioner's land. Since only over the existing line another line is going to be drawn, the relief sought for can very well be granted.

6. The first respondent is directed to provide additional electricity supply to the petitioner vide permission dated 06.09.2021. While doing so, the first respondent will consider the possibility of inflicting minimal damage and injury to the interest of the fourth respondent while drawing such lines. In fact, that is a statutory scheme. Only if there is no other option left, over the existing lines, the HT lines may be drawn. The entire exercise shall be concluded within a period of eight weeks from the date of receipt of a copy of this order.



W.P.(MD)No.20238 of 2021

WEB COPY

7. This writ petition is allowed. No costs.

12.07.2022

Index : Yes / No

Internet : Yes/ No

mga

To

1.The Junior Engineer,
(Maintenance and Operations)
TANGEDCO,
Rayanoor,
Karur District.

2.The Superintendent of Police,
Office of the Superintendent of Police,
Karur District.

3.The Sub Inspector of Police,
Velliyanai Police Station,
Karur District.



WEB COPY



W.P.(MD)No.20238 of 2021

G.R.SWAMINATHAN, J.

mga

W.P.(MD)No.20238 of 2021

12.07.2022