



W.P(MD)No.9991 of 2014

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.11.2022

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.9991 of 2014

G.Thaiyal Nayaki

... Petitioner

Vs.

- 1.The Executive Officer,
Office of the Executive Officer,
Tamil Nadu Electricity Board,
Keeranoor,
Pudhukottai District.
- 2.The Assistant Executive Officer,
Office of the Assistant Executive Officer,
Tamil Nadu Electricity Board,
Fathima Nagar, Viralimalai,
Trichy.
- 3.The Junior Engineer,
Tamil Nadu Electricity Board,
Fathima Nagar,
Viralimalai,
Trichy.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to remove the electricity post situating in the petitioner's



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patta land by considering the petitioner's representation, dated 19.03.2014.

For Petitioner : M/s.R.Alagumani

For Respondents : M/s.S.Deenadhayan
Standing Counsel

ORDER

The present Writ Petition has been filed for a Writ of Mandamus, directing the respondents to remove an electricity post that was put up in the petitioner's private patta land.

2. According to the learned Standing Counsel appearing for the respondents, the said post was originally erected in the petitioner's patta land to effect agricultural service connection in favour of a third party, namely, one Maruthayee. However, due to serious objection raised by the petitioner, the service connection to the said Maruthayee has been shifted through an alternative route by erecting a post in a different land. Hence, the prayer sought for in the writ petition no longer survives and it has become infructuous. However, the learned Counsel for the petitioner submits that the electricity pole is still standing in their land. The learned



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Standing Counsel for the respondents submit that the petitioner has damaged the electricity pole and hence, police complaint has been lodged. In view of the pendency of the said police complaint, the post is yet to be removed from the patta land of the writ petitioner.

3. I find that the police complaint is said to have been lodged in the year 2014. Based upon the police complaint said to have been lodged in the year 2014, no FIR has been registered as against the writ petitioner. Considering the passage of time, the respondent authorities are directed to remove the said post, after taking photograph of the damaged portion.

4. With the above said observations, the writ petition stands allowed. There shall be no order as to costs.

09.11.2022

Index : Yes / No
Internet : Yes / No
btr



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R.VIJAYAKUMAR, J.

btr

Order made in
W.P(MD)No.9991 of 2014

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