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W.P.No.8818 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.07.2023

CORAM : JUSTICE N.SESHASAYEE

W.P.No.8818 of 2022

T.C.Saravanan

.... Petitioner

Vs

1.The Assistant Engineer
(Operation and Maintenance)
TANGEDCO, Perundurai
Erode District.

2.T.C.Kolandasamy
3.T.C.Kandasamy

.. Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned communication vide Letter No.U.Mi.Po/Epe/Ki/Peru/Ko:kattu/A.No.175/2021 dated 16.12.2021 given by the first respondent and quash the same and consequently direct the first respondent to effect the relocation of the electric poles and pass it through the common bund without any hindrance to anyone or pass such further or other suitable orders as this Court deems fit and proper in the circumstances the case.

For Petitioner : Mr.V.Anandamurthy



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For Respondent : Mr.I.Syed Sibghatulla
Standing Counsel for TANGEDCO

Mr.S.Kousik for R2 & R3

ORDER

The petitioner, second and third respondents are brothers. The electric post that provides electricity supply to the second respondent is located right in front of the petitioner's residential house. There was a division of family among the brothers, and as a result of the same, both the petitioner and the second respondent made an application to the first respondent to shift this electric poles and to place it right at the common bund that divides the petitioner's property and the second respondent's property. This representation is stated to be pending since 14.12.2021 only. This was responded to by the first respondent, whereunder he has sought a drawing for the alternate route. This is now under challenge.

2. Heard the learned standing counsel for the first respondent. The learned standing counsel submitted that the shifting of the electric poles will involve some costs, and it requires a drawing for the said purpose.

3. The learned counsel for the petitioner submitted that there is some



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movement in this regard now.

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4. The petitioner is now informed that he is now required to do all that rules require him to do. Reading in that context, the first respondent has not rejected or refused the prayer of the petitioner and the second respondent, but only required some drawing indicating the relocation. There is nothing in this impugned proceedings that affects the right of the petitioner, but only requires him to provide the first respondent with some information.

5. The petitioner is now required to abide by all the procedural requirements within a period of fifteen days from the date of receipt of a copy of this order, whereupon, the first respondent is directed to take a decision on the same within next fifteen days.

6. The writ petition is disposed of accordingly. No costs.

24.07.2023

Index : Yes / No

Speaking order / Non-speaking order
ds



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N.SESHASAYEE.J.,

ds

To:

The Assistant Engineer
(Operation and Maintenance)
TANGEDCO, Perundurai
Erode District.

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