



W.P.No.15236 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.05.2023

CORAM

THE HONOURABLE MR.JUSTICE P.B.BALAJI

W.P.No.15236 of 2023 and
W.M.P.No.14740 of 2023

Arangaswamy

... Petitioner

vs.

1.The Chairman,
Tamil Nadu Electricity Board,
Anna Salai, Chennai – 600 002.

2.The Assistant Engineer,
Tamil Nadu Electricity Board,
Chitlapakkam,
Chennai – 600 073.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the second respondent to remove the Iron rod, within the time limit as fixed by this Court.

For Petitioner : Mr.S.Venkatesh Perumal

For Respondents : Mr.L.Jaivenkatesh
Standing Counsel

ORDER

By consent of both the parties, this writ petition has been taken up for final disposal at the admission stage itself.



W.P.No.15236 of 2023

2.Mr.L.Jaivenkatesh, learned Standing Counsel accepts notice on behalf of the Respondents.

3.The petitioner has filed the above writ petition, praying for issuance of a Writ of Mandamus directing the second respondent to remove the Iron rod put up by the respondents.

4.The case of the writ petitioner is that he is the owner of Plot No.25, Vidhyalakshmi Street, Rajeswari Nagar, Selaiyur, Chennai – 600 073 and that he has been residing there. It is the case of the petitioner that on 19.04.2023, the second respondent started erecting a pillar for installing transformer in front of his house to provide power supply to the newly constructed apartment, adjacent to his house. In this regard, the petitioner has given a representation to the Chief Minister Cell on 23.04.2023 and also a representation to the Chairman, Tamil Nadu Electricity Board, Chennai and Assistant Engineer, Tamil Nadu Electricity Board, Chitlapakkam, Chennai through registered post.



W.P.No.15236 of 2023

5. In fact, it is admitted by the writ petitioner that the second respondent has sent a reply on 28.04.2023, addressing the grievances of the writ petitioner and seeking co-operation of the writ petitioner for installing the transformer in front of his house. To this reply, the writ petitioner has sent a re-joinder on 03.05.2023 stating that the proposed transformer would block the way to his house, which is now being used to take his car inside his property.

6. No doubt, the respondents have a right to install an electricity transformer to provide electricity to newly constructed apartments, adjacent to the petitioner's house, after taking into account the genuine concerns of the local residents like the writ petitioner. The respondents shall carry out a spot inspection in the presence of the writ petitioner to see the feasibility of installing the transformer in such a manner that it does not affect the free ingress and egress of the writ petitioner to his property. The respondents shall fix a date for the said inspection, after giving prior notice to the writ petitioner and pass final orders, after taking into account the objections of the writ petitioner, within a period of four weeks from the date of receipt of



WEB COPY



W.P.No.15236 of 2023

P.B.BALAJI, J.

rsi/vga

a copy of this order. In the mean time, the respondents shall not carry on the installation of the Electricity Transformer.

7.With the above directions, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

10.05.2023

Index : Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation : Yes/No
rsi/vga

To

- 1.The Chairman,
Tamil Nadu Electricity Board,
Anna Salai, Chennai – 600 002.
- 2.The Assistant Engineer,
Tamil Nadu Electricity Board,
Chitlapakkam,
Chennai – 600 073.

W.P.No.15236 of 2023 and W.M.P.No.14740 of 2023