



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.01.2023

CORAM

THE HON'BLE Mr. JUSTICE **C.V.KARTHIKEYAN**

W.P.No.21060 of 2022

M.D.Gunasekar

.. Petitioner

Vs.

1.The Junior Electrical Engineer,
TANGEDCO,
Athimancheripet,
Thiruvallur District.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the entire records of the respondent pertaining to the impugned orders in Ka.No.J.E/Operation & Maintenance/Town/Athimancheripet/Complaint No.150/2021-22 dated 28.08.2021 and Ka.No.J.E/Operation & Maintenance/Town/Athimancheripet/Complaint No.77/2022-2023 dated 16.04.2022 and to quash the same as illegal, incompetent, ultra-vires, respondent to remove the damaged Electric pole from the petitioner patta land in SF.No.77/3 and to effect new service connection to the petitioner residential house in SF.No.77/4, Vanniyar Street, Athimancheripet – 631 202, Thiruvallur District, without demanding DCW charges by considering the representation dated 11.07.2022.



2

For Petitioner

.. Mr.Ma.P.Thangavel

For Respondents

.. Mr.L.Jai Venkatesh,

Standing Counsel

ORDER

This writ petition has been filed in the nature of writ of Certiorarified Mandamus, seeking interference of an order passed by the respondent / Junior Engineer, TANGEDCO, Athimancheripet - 631 202 at Thiruvallur District dated 28.08.2021 and consequently, also to remove the damaged pole, which is now situated within the patta land in S.F.No.77/3 and thereafter, erect new service connection to the petitioner's residential house in S.F.No.77/4, Vanniyar Street, Athimancheripet – 631 202, Thiruvallur District. The petitioner however, also claims that DCW charges should not be collected from the petitioner.

2.The petitioner's land is situated in S.F.No.77/3. The electric pole is now situated within the patta land of the petitioner. The said electric pole is damaged. Necessarily, the electric pole will have to be removed. The electric pole will have to be relocated thereafter in order that electricity



connection is granted not only to the petitioner, but also to every other residential house to which, from the existing damaged electric pole, electricity was supplied.

3.The respondent is present in Court. This order is passed in his presence. The learned Standing Counsel for the respondent is also present. The petitioner is also present. The petitioner is present because, the respondent had given a police complaint to the jurisdictional police station complaining that the petitioner obstructed removal of the damaged electric pole and erection of a fresh pole.

4.The following directions are therefore passed:

(i)The damaged pole within the patta land of the petitioner at S.F.No.77/3 is to be removed by the respondent.

(ii)Fresh electric pole must be put up outside the patta land of the petitioner herein in the road margin.

(iii)The respondent must take necessary precautionary steps that lines are drawn without causing any hindrance or be a source of danger to the residence of the petitioner or to other houses.



(iv) While drawing such line, if additional wire is required, the petitioner must pay necessary costs.

(v) The respondent, P.Anbu, Junior Engineer, is to withdraw the police complaint given to the Inspector of Police, Podhaturpet Police Station, against the petitioner.

(vi) The Station House Officer, Podhaturpet Police Station, is also directed, in view of the above direction not to proceed further with the said complaint.

(vii) Necessary service connection is to be granted to the petitioner in accordance with the rules and regulations after taking into consideration any amounts already paid by the petitioner. Such fresh connection should be given on or before 16.02.2023.

5. With the above observations, this writ petition stands disposed of.

No costs.

27.01.2023

Index: Yes/No
Internet: Yes/No
smv



5

To

WEB COPY

The Junior Electrical Engineer,
TANGEDCO,
Athimancheripet,
Thiruvallur District.



WEB COPY



6

C.V.KARTHIKEYAN,J.

smv

W.P.No.21060 of 2022

27.01.2023