



W.P.No.25629 of 2023
& WMP.No.25033 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.08.2023

CORAM: JUSTICE N.SESHASAYEE

WP.No.25629 of 2023
& WMP.No.25033 of 2023

P.Thangaraj

...Petitioner

-Vs-

- 1.The Chairman,
Tamilnadu Electricity Board,
No.800, Anna Salai, Chennai – 600 003.
- 2.The Chief Engineer,
Operation and Maintenance/Urban,
Erode Electricity Distribution Circle,
Tamilnadu Generation and Distribution
Corporation Ltd, Erode – 638 009.
- 3.The Superintending Engineer,
Mettur Electricity Distribution Circle,
Mettur Dam – 1.
- 4.The Executive Engineer,
Operation and Maintenance/Urban,
Tamilnadu Electricity Board,
Mettur, Salem District.
- 5.The Junior Engineer,
Operation and Maintenance,
Tamilnadu Electricity Board,
Mettur, Salem District.



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6.The Executive Officer,
P.N.Patti Town Panchayat,
Salem District.

7.Ayyadurai

...Respondents

Prayer: Writ Petition is filed under Article 226 of Constitution of India, to issue a Writ of Certiorari, calling for the records of the 5th respondent in Ka.No:E.Ne.Po/E&Pa/Urban?Me/Ko.Petition/No.167/2022 dated 30.06.2022 quash the same.

For Petitioner	: Mr.SP Yuvaraj
For R1 to R5	: Mr.I.Syed Sibghatulla, Standing Counsel for TANGEDCO
For R6	: Mr.V.Manoharan, Additional Government Pleader

ORDER

The petitioner complaints that the respondent TANGEDCO has proposed to shift the route of the electricity service connection provided to a certain Temple through the petitioner's property. The petitioner further says that there are well grown coconut trees in that property. Challenging the same, the petitioner is before this Court.



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2.The learned counsel for the petitioner submits that by chipping some of the branches of the tree behind the said Temple, without uprooting it, a solution could be found.

3.Mr.I.Syed Sibghatulla, learned Standing Counsel for TANGEDCO takes notice for the respondent and made a statement on instructions that the TANGEDCO has already received the necessary charges for transfer of the electricity line and still wants to consider the case of the petitioner, if he can show that the property through which the transfer of service connection is proposed, belongs to him.

4.This Court now merely directs the petitioner to go back to the Assistant Engineer/5th respondent herein with necessary material to satisfy the Authority about his ownership to the property. The Assistant/Engineer/5th respondent is required to consider all the aspects of the matter and hear all parties who are likely to be affected by his decision and then take a call within a period of eights (8) weeks from the date of receipt of a copy of this order.



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5.The Writ Petition is disposed of accordingly. No costs. Consequently,
the connected miscellaneous petition is closed.

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Index : Yes/No

Internet : Yes/No

Tsg

To

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N.SESHASAYEE, J.,

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