



WP(MD)No.16304 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 06.07.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

WP.(MD).No.16304 of 2023

S.Suriya Narayanan

... Petitioner

Vs

1.The District Collector,
Madurai District.

2.The Chief Engineer,
Madurai Region, Tamilnadu Generation
and Distribution Corporation Ltd.,
(TANGEDCO),
Madurai.

3.The Executive Engineer,
North/Metro,
Tamilnadu Generation and Distribution Corporation Ltd.,
(TANGEDCO),
K.Puthur, Madurai.

4. The Assistant Executive Engineer,
Tamilnadu Generation and Distribution Corporation Ltd.,
(TANGEDCO), Krishnapuram Colony,
Madurai.

... Respondents



WP(MD)No.16304 of 2023

WEB COPY

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the fourth respondent to remove Transformer and HT line which is erected and installed in dangerous manner at Krishnapuram Colony 6th Street, Madurai North Taluk (Rear side of petitioners house situated at Door No.3F, Vinayaga Nagar) and shift the same to other place without disturbing the residents and public without insisting any payment from the petitioner within stipulated time fixed by this Court.

For Petitioner : Mr.K.R.Manimaran
For R1 & R2 : Mr.G.V.Vairam Santhosh
Additional Government Pleader

ORDER

The petitioner is having a house in Door No.3F, Vinayaga Nagar Krishnapuram Colony 6th Street, Madurai North Taluk and he is residing at Chennai. When he visited his house at Madurai, he found that the respondent Board has put up a Transformer along with High Tension Lines, nearby his house and the line is passing through in such a condition that it may endanger to the children and others, who are



WP(MD)No.16304 of 2023

WEB COPY

playing in the terrace of the petitioner's house. Therefore, the petitioner has submitted a representation to shift the line and Transformer to some other place. Since the respondents have not responded, the petitioner has filed a writ petition in WP(MD) No.8794 of 2022 for a Mandamus, directing the respondents 3 & 4 to remove the Transformer and High Tension Lines. This Court, by order dated 29.04.2022 has disposed of that writ petition with a direction to the respondents to consider and take a decision on the petitioner's representation. Based on the orders of this Court, the respondents have passed an order directing the petitioner to pay a sum of Rs.6,254/- (Rs.5074/- as estimation cost + Rs.1180/- as Registration fee). The petitioner without challenging the same has filed this writ petition once again for a Mandamus, directing the respondents to remove the Transformer and HT lines, which are in a dangerous condition in Vinayaga Nagar, Krishnapuram Colony 6th Street, Madurai North Taluk.



WP(MD)No.16304 of 2023

WEB COPY

2.The learned counsel for the petitioner submits that for no fault of the petitioner, he cannot pay the amount.

3.Since the representation of the petitioner was already considered and an order was also passed by the respondents directing this petitioner to pay a sum of Rs.6254/- to shift the HT lines, this Court is not inclined to entertain this writ petition. If the petitioner is having any grievance on the order passed by the respondents dated 03.04.2023, the petitioner shall challenge the same in the manner known to law. In the meantime, the petitioner is permitted to pay the estimation cost of Rs.5704/- alone to the respondent for shifting of HT lines and the respondent shall not insist the registration charges of Rs.1180/-. On payment of Rs.5704/- by the petitioner, the respondent Board shall take necessary action for removing the HT lines within a period of four weeks from the date of payment by the petitioner.



WP(MD)No.16304 of 2023

WEB COPY

4. With the above directions, this writ petition is disposed

of. No costs.

06.07.2023

NCC : Yes / No.

Index : Yes / No.

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5 / 6



WEB COPY



WP(MD)No.16304 of 2023

B.PUGALENDHI, J.

vrn

Order made in
WP.(MD).No.16304 of 2023

06.07.2023