



W.P(MD)No.5486 of 2016

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.10.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.5486 of 2016
and
W.M.P. (MD) No.4927 of 2016

P.S. Parthasarathy

...Petitioner

Vs.

1. The District Collector,
Tuticorin.

2. Assistant Divisional Engineer,
State Highways,
Kovilpatti Circle Division (Guest Hostel Compound),
Kovilpatti,
Tuticorin District.



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3. Assistant Engineer,
Tamil Nadu Electricity Board,
Aruppukottai Road,
Ettayapuram,
Tuticorin District.

4. Assistant Executive Engineer,
Rural Section,
Tamil Nadu Electricity Board,
Ilayaranerthal Road,
Kovilpatti,
Tuticorin District.

5. Senior Engineer,
Sales Section,
Tamil Nadu Electricity Board,
Ilayaranerthal Road,
Kovilpatti,
Tuticorin District.

.....Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus forbearing the second respondent from dispossessing the petitioner from his



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patta land without any lawful initiation of acquisition proceedings and consequently forbearing the respondents 3 to 5 from installing any transformer without following any procedures in the petitioner's patta land comprised in new patta land 554/8, on extend of 6.70 cents land situated in the Plot No.38 of M.K.Shanmugavel Nagar, Ettayapuram, Tuticorin District.

For Petitioner : M/s.S.Vijayashanthi

For Respondents : Mr.M. Ramesh - for R1

Government Advocate

Mr. S. Deenadhayalan -for R2 to R5

Standing Counsel

ORDER

The petitioner with a grievance that the respondents are attempting to erect a transformer in the petitioner's patta land and submitted a representation and also filed a Writ Petition in the year 2016.



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2. The learned Standing Counsel appearing for the respondents 3 to 5 submits that they are not having any intention to erect the transformer or any poles in the petitioner's patta land.

3. The learned Standing Counsel further submits that at the time of widening the roads, the poles have been erected in front of the petitioner's property, however, it is no way disturbing this petitioner.

4. The grievance of the petitioner is that the transformer has been erected in the petitioner's patta land. The fourth respondent shall ascertain the same, by considering the representation of the petitioner and if there is any alternative place is available, the same shall be shifted to the alternative place, without any disturbance to the petitioner's property.



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5. With the above observation, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

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NCC : Yes / No
Index : Yes / No
Internet : Yes / No

RM



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B.PUGALENDHI, J.

RM

Order made in
W.P(MD)No.5486 of 2016

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