



W.P(MD)No.27824 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 24.11.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.27824 of 2023

A.Michale Raj

... Petitioner

Vs.

**1.The Superintending Engineer,
Tirunelveli Electricity Distribution Circle,
Tirunelveli District.**

**2.The Executive Engineer (Distribution),
Tamil Nadu Electricity Board,
Valliyoor,
Tirunelveli District.**

**3.The Assistant Executive Engineer (Distribution),
Tamil Nadu Electricity Board,
Thisayanvilai,
Tirunelveli District.**

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the 3rd respondent to re-align electricity poles no. 7109 standing in Alwarthirunagiri to Valliyoor State Highways and made the high tension line to pass through out of the petitioner's patta land comprised in Survey no. 972/6A at Sanganankulam Panchayat, Vijayanarayanam Village, Thisaiyanvilai Taluk.



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For Petitioner : Mr.V.Angusamy

For Respondents : Mr.S.Deenadhayalan

ORDER

Heard both sides.

2. The petitioner's request is that high tension lines should not be drawn over his patta land. The respondents would claim that the petitioner is an encroacher and that the line is not proposed to be drawn on any patta land. TANGEDCO/TNEB cannot unilaterally decide that the petitioner is an encroacher. They will have to necessarily associate the revenue authority. Proper survey has to be done and only thereafter, the issue can be resolved. The petitioner is having patta in respect of Survey No.972/6A.

3. I therefore direct that the respondents cannot draw any line over Survey No.972/6A except by due process of law. The Writ Petition is allowed on these terms. No costs.

24.11.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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G.R.SWAMINATHAN, J.

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