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Cont.P.No.325 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.11.2024

CORAM : JUSTICE N.SESHASAYEE

Contempt Petition No.325 of 2024

M.Babu

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Petitioner

Vs.

1.Mr.P.Purushothaman

Junior Engineer

Operation & Maintenance

Tamil Nadu Electricity Generation and Distribution

Corporation Ltd.,

Gopinathampatti, Paraiyapatti Pudhur Post

Pappireddipatti Taluk

Dharmapuri District.

2.Mr.D.Thamizhselvan

Superintending Engineer

Tamil Nadu Electricity Generation and Distribution

Corporation Ltd.,

Dharmapuri

Dharmapuri District.

Chennai - 600 002.

3.Mr.V.Jayaseel

Taluk Surveyor

Dharmapuri District.

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Respondents



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Prayer : Contempt Petition filed under Section 11 of Contempt of Courts Act, 1971, to punish the respondents for having wilfully and wantonly disobeyed the order of this Court dated 16.08.2023 in W.P.No.24079 of 2023.

For Petitioner : Mr.S.Arokia Mani Raj

For Respondents : Ms.Daniel Mary
Standing Counsel for R1 & R2

Mr.S.J.Mohamed Sathik
Government Advocate for R3

ORDER

This contempt is directed against the alleged violation of the order passed in W.P.No.24079 of 2023 dated 16.08.2023.

2. A short prayer with which the petitioner came before this Court in writ petition was that, the first respondent TANGEDCO had installed a transformer in the petitioner's property in Survey No.55/2J1 of Jammanahalli Village, Pappireddipatti Taluk, Dharmapuri District, which according to him was temporarily shifted to his property for certain work.



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3. And in the course of hearing, this Court felt that the case involved has two questions :

(1) whether the transformer is in the petitioner's property in Sy.No.55/2J1; and

(2) the entitlement of the petitioner to seek its removal within the framework of law, without payment of any cost.

4. To ascertain whether the transformer is in petitioner's property in Survey No.55/2J1 of Jammanahalli Village, Pappireddipatti Taluk, Dharmapuri District, this Court *suo motu* impleaded the Taluk Surveyor, Dharmapuri District as third respondent in W.P.No.24079 of 2023, and required him to give his report. And, ultimately, vide its order dated 16.08.2023, this Court had only set aside the proceedings of TANGEDCO dated 13.10.2020, whereunder it had required the petitioner to pay necessary charges for shifting the transformer, and remanded the matter back to the first respondent.

5. Inasmuch the issue is not completely decided by the Court, the petitioner is advised to approach the first respondent and this Court requires the first respondent to decide on the request of the petitioner and take a call afresh



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after hearing the petitioner.

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6. In view of the above directions, this contempt petition is closed. No costs.

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Index : Yes / No

Neutral Citation : Yes / No

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To:

1.The Operation & Maintenance

Tamil Nadu Electricity Generation and Distribution
Corporation Ltd.,

Gopinathampatti, Paraiyapatti Pudhur Post

Pappireddipatti Taluk

Dharmapuri District.

2.The Superintending Engineer

Tamil Nadu Electricity Generation and Distribution
Corporation Ltd.,

Dharmapuri

Dharmapuri District.

Chennai - 600 002.

3.The Taluk Surveyor

Dharmapuri District.



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N.SESHASAYEE.J.,

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