



WEB COPY



W.P.No.2366 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 15.03.2024

CORAM

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

W.P.No.2366 of 2021

1. S.Rajendran (died)
2. S.Kuppaye
W/o Late Sengoda Gounder
3. R.Jeyalakshmi
W/o S.Rajendran
4. R.Raghu
S/o Late S.Rajendran

P2 to P4 are substituted as LRs
of deceased P1 as per orders
dated 21.02.2024 in
WMP.No.8929/2023 in
WP.No.2366/2021 by JNBJ)

... Petitioners

vs.

1. The Chairman,
Tamilnadu Electricity Board,
800, Anna Salai,
Chennai - 600 003.
2. The Assistant Executive Engineer,
Operation & Maintenance,
Tamilnadu generation and Distribution Corporation,
Pallipalayam - 638 010,
Namakkal District.



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3. The Assistant Engineer,
Operation & Maintenance,
Tamilnadu generation and
Distribution Corporation,
Kokkarayanpet - 638 007
Namakkal District.

4. Krishnamoorthy,
S/o Palaniappa Gounder,
Vani Nagar,
Pappampalayam Village,
Kumarapalayam Taluk,
Namakkal District.

5. S.Subramani,
S/o Sengoda Gounder

6. S.Ramasamy,
S/o Sengoda Gounder

7. M.Perumal Gounder,
S/o Marappa Gounder

..Respondents

Prayer in W.P. : Writ Petition filed under Article 226 of the constitution to issue a Writ of Certiorarified Mandamus to call for the records relating to the impugned order in Lr.No.Ae/O&E/KO.Pe/No.333-1/2019 dated 14.11.2019 passed by the 3rd respondent, and quash the same and consequently direct the respondents 1 to 3 to relocate the existing overhead LT lines to the petitioner's own S.F.No.105/2C3 Kokkarayanpettai Village, Namakkal District as per the estimate dated 10.05.2016 prepared by the 2nd respondent on the basis of his application dated 29.03.2016 by rejecting the baseless objections raised by the respondents 4 to 7.



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For Petitioner : Mr.N.Manokaran

For Respondents : Mr.S.Kalaiselvan
Standing Counsel for R1 to R3
No appearance for R4 to R7.

ORDER

This writ petition has been filed challenging the order dated 14.11.2019 passed by the 3rd respondent, by which, the petitioner was directed to clear the objection raised by the respondents 4 to 7 by producing the relevant revenue records to prove his ownership of the subject property. The petitioner has also prayed for a consequential direction to direct the respondents 1 to 3 to relocate the existing overhead LT lines to the petitioner's property as per the estimate dated 10.05.2016 prepared by the 2nd respondent.

2. When the matter is taken up for hearing, learned Standing Counsel appearing for the respondents 1 to 3/Electricity Board filed a status report, in which, it is stated that the TANGEDCO is ready to relocate the LT Line in an undisputed place.

3. Learned counsel for the petitioner would state that now, the petitioners have identified the re-route of LT Line on the sideways of the



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petitioners' own property without disturbing any other property and the learned counsel for the respondents 1 to 3 also agreed with the relocation of the existing overhead LT line and for the re-route of LT Line on the sideways of the petitioners' own property.

4. In view of the above, the order passed by the 3rd respondent dated 14.11.2019 is hereby set aside. The Writ Petition is allowed on the above terms. No costs.

15.03.2024

Index : Yes/No
Speaking /Non speaking order
vsi

To

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Namakkal District.
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J.NISHA BANU, J.

vsi

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