



W.P.No.3257 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 20.02.2024

CORAM

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

W.P.No.3257 of 2021

Jayarani

... Petitioner

vs.

1.The Executive Engineer,
Tamil Nadu Electricity Board,
Operation and Maintenance,
Krishnagiri 635 002.

2.The Assistant Engineer,
Tamil Nadu Electricity Board,
Marigowndan Chowlur,
Kaveripatinam,
Krishnagiri Taluk and District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the respondents to remove the electricity pole erected on the petitions land situated at S.No. 85/3 85/2 situated at Karadiahalli Village Krishnagiri Taluk and District.

For Petitioner : Mr.V.Balamurugan
For Respondents : Mr.Mathusuthanan
Standing Counsel

ORDER



This Writ Petition has been filed to remove the electricity pole erected on the petitioner's land based on his representation.

2. The grievance of the petitioner is that he is the owner of the property situated at Karadihalli Village, Krishnagiri Taluk and District. He is doing agriculture in the said land. On 21.06.2019, the 1st respondent has made a field visit on the petitioner's land to erect a electricity pole to give service connection to his neighbour's house. Inspite of petitioner's objections, the 1st respondent has erected an electricity pole illegally on the petitioner's land. The petitioner made representation on 20.09.2020. Since no response is forthcoming on the said representation, the petitioner is before this Court.

3. The 1st respondent has filed the counter affidavit and it would state that one Kesavan made an application for heightening the existing electricity line, passing over his residential house. Subsequently, a pole was erected in the said Kesavan's land without disturbing others, not on the petitioner's land as alleged and the existing electricity lines were heightened. The works were carried out as per rules and regulations. Therefore, the case of the petitioner is liable to be dismissed.



WEB COPY



W.P.No.3257 of 2021

4. This Court has carefully considered the rival submissions and also perused the materials available on record.

5. It is to be pointed out that no new poles have been erected in the petitioner's land as alleged in the affidavit. In fact, the poles have been erected only in Kesavan's land in order to heighten the existing electricity line passing through the petitioner's agricultural land. This Court does not find any illegality on the part of the official respondents as alleged by the petitioner.

6. Accordingly, this Writ Petition is dismissed on devoid of merits.

No costs.

20.02.2024

sk



W.P.No.3257 of 2021

J.NISHA BANU, J.
sk

To

1.The Executive Engineer,
Tamil Nadu Electricity Board,
Operation and Maintenance,
Krishnagiri 635 002.

2.The Assistant Engineer,
Tamil Nadu Electricity Board,
Marigowndan Chowlur,
Kaveripatinam,
Krishnagiri Taluk and District.

W.P.No.3257 of 2021

20.02.2024