



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.02.2024

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THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.6424 of 2021

and

W.M.P.No.7012 of 2021

S.Jayanthi

... Petitioner

Vs.

1.The District Collector,
Thiruvallur District, Thiruvallur.

2.The Tahsildar,
Avadi Taluk, Thiruvallur District.

3.The Assistant Executed Engineer,
TANGEDCO Ltd.,
Thirunindravur, Thiruvallur District.

4.The Assistant Engineer,
TANGEDCO Ltd, Thirunindravur,
Thiruvallur District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, forbearing the respondents 3 to 5 from erecting substation in S.No.813 of Nathamedu Pakkam Village, Thiruvallur Taluk, Thiruvallur District, adjacent to the approved layout of Mullai Nagar as requested in the representation dated 27.02.2021.



For Petitioner	: Mrs.Hema Sampath for Mr.M.Devaraj
For R1 and R2	: Mr.T.Arunkumar Additional Government Pleader
For R3 and R5	: Mr.L.Jai Venkatesh Standing Counsel for TANGEDCO

ORDER

The writ of mandamus has been instituted to forbear the respondents 3 to 5 from erecting substation in S.No.813 of Nathamedu Pakkam Village, Thiruvallur Taluk, Thiruvallur District, adjacent to the approved layout of Mullai Nagar as requested by the petitioner in the representation dated 27.02.2021.

2. It is not in dispute that the approved layout was comprised in Survey No.815/1, Mullai Nagar, Pakkam Village, Tiruvallur District. The learned Senior Counsel, Mrs.Hema Sampath would submit that the District Collector, Tiruvallur has proposed to allot a portion of the land in S.No.813 to the TANGEDCO for erection of sub-station. In the event of allotting the said land in favour of the TANGEDCO, the people residing in Mullai Nagar will be affected. Therefore, the present writ petition came to be instituted.



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3. Mr.T.Arunkumar, learned Additional Government Pleader and Mr.L.Jai Venkatesh, learned Standing Counsel for TANGEDCO would submit that the lands are to be allotted by the District Collector for erection of sub-station. TANGEDCO will take adequate safety measures while erecting sub-station. Therefore, the contention of the petitioner is only apprehension and consequently, the writ petition is to be rejected.

4. Construction of electric sub-station is inevitable, when residential layouts are formed and construction developments are taken place, Sub-stations are required for the purpose of supply of electricity for the residential and commercial purposes. It is not in dispute that the S.No.813 is a Government Poromboke land. Therefore, the District Collector is empowered to allot land to the Electricity Board for erection of substation for the benefit of that locality and to provide power supply to the people residing in that locality.

4.1 However, while erecting sub-station, the Electricity Board is bound to take adequate safety measures, so as to the protect the interest of the



adjacent residents and the property owners. Any apprehension in the mind of the residents also may be removed by explaining the facts to the residents by the competent Authorities.

5. However, Court cannot issue any direction in the nature of injunction to prevent the Authorities from erection of substation or to allot Government land for erection of substation by the Electricity Board. Therefore, the relief as such sought for in the present writ petition cannot be granted. However, the Electricity Board at the time of erection of substation shall take adequate safety measures to protect the interest of the people of that locality.

6. With these observations, the Writ Petition stands dismissed. No costs. Consequently, Connected miscellaneous petition is closed.

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Index : Yes / No

Speaking order / Non-Speaking Order

Neutral Citation : Yes / No

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