



W.P. No.11146 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.04.2024

CORAM:

THE HONOURABLE **Mrs. JUSTICE V. BHAVANI SUBBAROYAN**

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E.Rajash Singh

.. Petitioner

Versus

1.The Zonal Officer,
Ward-62, Part-14,
5th Zonal, Chindadripet,
Chennai – 2.

2.The Commissioner,
Chennai Corporation,
Rippon Building,
Chennai.

3.The Assistant Executive Engineer,
Assistant Executive Engineer Office,
TNEB, Chindadripet, Chennai – 2.

4.The Chief Engineer,
TNEB, Anna Salai,
Chennai – 2.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents to consider the representation of the petitioner dated 10.04.2023 and consequently direct the respondents to stop the above illegal activities at the earliest.



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For Petitioner : Mr.M.Udayakumar

For Respondents : Mrs.P.T.Ramadevi
Standing Counsel
for R1 and R2

Mr.L.Jaivenkatesh
Standing Counsel
for R3 and R4

ORDER

This writ petition has been filed for the issuance of a writ of mandamus directing the respondents to consider the representation of the petitioner dated 10.04.2023 and consequently direct the respondents to stop the above illegal activities at the earliest.

2. The case of the petitioner is that he is running a mobile shop in the name and style of “R.S. Pro Mobiles” at No.43, Wallers Road, Mount Road, Chennai – 2, for the past ten years. There is an ancient building opposite to the petitioner's shop in the name of “Anjuman Building” and separate entrance is available in the eastern side of the building from Anna Salai and through which the public are using the same. On the left side of the building is a huge transformed owned by the Tamil Nadu Electricity Board. For the past two weeks, without any prior notice or Government Order, they have been



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removing it and placing it next to nearby shop by name “Fathima Mobiles”.

Due to which the tenants of Anjuman building are making efforts to demolish the said heritage building and make way to use the road through the shop of the petitioner causing business disruption and congestion for the petitioner.

3. The learned counsel for the petitioner submitted that the demolition of such heritage building is a crime under law. The people of the said Anjuman building are making efforts to do business using the location of the transformer illegally by causing unnecessary problems. In this regard, the petitioner has sent a representation to the respondents on 10.04.2024. Since there no response from the respondents, the petitioner has filed the present writ petition seeking direction to the respondents to consider his representation.

4. The learned Standing Counsel for the respondents submitted that one Ravi had given an application for shifting of Transformer within the compound wall of the said Anjuman building. According to the respondents, the shifting of transformer was done after inspecting the place by the TANGEDCO officials and as per the estimated charges, paid a sum of Rs.2,00,600/- and the shifting was completed on 31.03.2024. The learned Standing Counsel for the respondents contended that at the time of shifting the transformer, there was no



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objection received from any person in that area especially from the petitioner.

According to them the transformer was re-erected to the adjacent location from the existing location.

5. Considering the facts and circumstances of the case it is seen that the shifting of transformer has got nothing to do with the petitioner's shop and he cannot simply state that it is causing the block of the said Anjuman building. The photographs produced before the Court also shows that the said transformer is shifted and situated more than 10 ft. from the Anjuman building. Moreover, the petitioner is running a mobile shop by name “R.S.Bro Mobiles” and he is not the owner of “Fathima Mobiles”. Hence, I find no merits in the present Writ Petition and the same is liable to be dismissed.

6. Accordingly, the writ petition is dismissed. No costs.

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Index:Yes / No

Speaking order / Non speaking order

Neutral Citation Case: Yes / No

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V. BHAVANI SUBBAROYAN, J.,

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