



W.P.No.22591 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.08.2024

CORAM

THE HONOURABLE MR.JUSTICE **M.DHANDAPANI**

W.P.No.22591 of 2018

and

WMP.No.24414 of 2022

E.Damodaran

...Petitioner

Vs.

1. The Superintending Engineer (Chennai South),
100/KV Complex, TANGENDCO,
KK Nagar, Chennai – 600 078.
2. The Executive Engineer,
CEDC/South/TNEB,
100/33 KV, Tidal Park, SS Complex,
Tharamani Road, Chennai – 600 113.
3. The Assistant Executive Engineer,
Operation & Maintenance,
CEDC/South/TNEB,
Perungudi, Chennai – 600 096.
4. Paulraj

...Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents 1 to 3, their men, agents and subordinates to remove the underground electricity cable laid in



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the house sites of petitioner comprised in S.No.241/3B of Okkiyam Thoraipakkam, Srinivasa Nagar, Thoraipakkam, Chennai – 600 096.

For Petitioner : Mr.R.Kannan

For Respondents : Mr.L.Jaivenkatesh, for R1 to R3
: Not ready notice, for R4

ORDER

This Writ petition has been filed seeking direction to the respondents 1 to 3, their men, agents and subordinates to remove the underground electricity cable laid in the house sites of petitioner comprised in S.No.241/3B of Okkiyam Thoraipakkam, Srinivasa Nagar, Thoraipakkam, Chennai – 600 096.

2. The case of the petitioner is that, the petitioner's family owns the land comprised in S.Nos.241/1B, 2 & 3A situated at Okkiam Thuraipakkam Revenue Village at Srinivasa Nagar and the same is bounded on southern side by the land comprised in S.No.241/4A, owned by the 4th respondent and his family, who developed a flat complex known as 'Thangam Villa', for which the electricity service connection was provided by the respondents through the petitioner's property comprised in S.No.241/3B by laying under



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ground power line, without obtaining consent from the petitioner. Objecting the same and also to consequently remove the underground service line cable laid through the petitioner's property, the petitioner made several representations, which evoked no response. Hence, this Writ petition.

3. Though very many grounds have been raised, learned counsel for the petitioner submitted that it would suffice if this Court issues direction to the respondents 1 to 3 to consider the petitioner's representation dated 10.01.2012 and also the legal notice dated 04.06.2018 and to consequently remove the underground electricity cable laid in the petitioner's property.

4. Learned counsel appearing for the respondents 1 to 3 submitted that, appropriate orders will be passed on the petitioner's representations within the time stipulated by this Court.

5. In view of the aforesaid submissions, this court without going into the merits of the case, directs the petitioner to send a fresh representation to the respondents 1 to 3, seeking to remove the underground electricity cable laid in the petitioner's property along with a copy of this order within a



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period of two weeks from the date of receipt of a copy of this order. Upon receipt of such representation, the respondents 1 to 3 shall consider the same on merits and in accordance with law and pass appropriate orders within a period of four weeks thereafter, after conducting proper enquiry, by affording an opportunity of personal hearing to the petitioner, 4th respondent and other aggrieved persons, if any.

6. With the above directions, this Writ petition stands disposed of. No costs. In view of the above order being passed in this Writ petition, no further order is necessary in the implead petition filed in WMP.No.24414 of 2022 and accordingly, the same is closed.

06.08.2024

skt

NCC	: Yes/ No
Speaking Order	: Yes/ No
Index	: Yes/ No



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WEB COPY To

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M.DHANDAPANI, J.

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