



W.P.No.21154 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.04.2024

CORAM :

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.21154 of 2021

Buvaneswari

...Petitioner

-Vs-

- 1.The Executive Engineer,
Office of the Executive Engineer,
Public Health Division,
Public Works Division,
Puducherry
- 2.The Assistant Engineer,
Office of the Assistant Engineer,
Urban Water Supply Sub Division,
Public Health Division,
Puducherry – 600 110
- 3.The Secretary to Government,
Electricity Department,
Government of Puducherry,
Secretariat, Puducherry.

- 4.The Assistant Engineer,



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Office of the Assistant Engineer,
Electricity Department,
Marapalam Sub Division,
Puducherry -04

5.Balaguru

6.Munusamy

7.Gnanasankaran

8.Shanthi

...Respondents

(R5 to R8 impleaded vide
order dated 11.08.2023
made in W.M.P.No.30016
of 2021 in W.P.No.21154 of
2021 by NSSJ)

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the 2nd and 4th respondents to remove the low tension electricity line and the water pipe line crossing the petitioner's housing Plot No.40 admeasuring 1052 ½ Sq.feet or 98 Sq.meter or 10 Saanthiyaar at Chendur Murugan Nagar Ward – M, Block No.6 comprised in Town Survey No.21, Re-Survey No.60/6pt, Cadaster No.169/1pt at Murugappakkam Revenue Village, Mudaliar Pettai Commune Panchayat, Puducherry.

For petitioner

: Mr.T.Ananthasekar



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For Respondents 1 to 4 : Mr.P.S.Thirumalaisamy
Government Advocate

For Respondents 5 to 8 : Mr.Michael Amalraj

ORDER

This writ petition has been filed for direction to direct the the 2nd and 4th respondents to remove the low tension electricity line and the water pipe line crossing the petitioner's housing Plot No.40 admeasuring 1052 ½ Sq.feet or 98 Sq.meter or 10 Saanthiyaar at Chendur Murugan Nagar Ward – M, Block No.6 comprised in Town Survey No.21, Re-Survey No.60/6pt, Cadaster No.169/1pt at Murugappakkam Revenue Village, Mudaliar Pettai Commune Panchayat, Puducherry.

2. The learned counsel for the respondents 1 to 4 submitted that the petitioner had purchased common path in the layout and as such the respondents laid electricity service line as well as water pipe line.

3. The learned counsel for the respondents 5 to 8 submitted that



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the common pathway as per layout, the petitioner's plot is situated in the common path way and the same has been purchased by him.

4. In view of the above, the respondents 2 and 4 are directed to issue notice to the petitioner and the respondents 5 to 8 herein and conduct enquiry for giving opportunity of hearing and pass appropriate orders on merits in accordance with law within a period of twelve weeks from the date of receipt of copy of this order.

5. With the above direction, this writ petition is disposed of. No costs.

25.04.2024

Index : Yes/No
Speaking/Non-Speaking order
Neutral Citation : Yes/No
gvn

To

1.The Executive Engineer,

4/6



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Puducherry

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Office of the Assistant Engineer,
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Public Health Division,
Puducherry – 600 110

3.The Secretary to Government,
Electricity Department,
Government of Puducherry,
Secretariat, Puducherry

4.The Assistant Engineer,
Office of the Assistant Engineer,
Electricity Department,
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G.K.ILANTHIRAIYAN,J.



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