



W.P.No.21783 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.08.2024

CORAM :

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

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R.Boobalan

... Petitioner

Vs.

- 1.The District Collector,
Collectorate Buildings,
Namakkal District.
- 2.The Deputy Superintendent Police,
District Police Office,
Namakkal District.
- 3.The Tahsildar,
Tahsildar Office,
Namakkal District.
- 4.The Executive Engineer,
Operation & Maintenance,
TANGEDCO,
Tamilnadu Electricity Board,
Namakkal – 637 001.
- 5.The Assistant Engineer,
Operation & Maintenance,
TANGEDCO,
Tamilnadu Electricity Board,
Senthamangalam.



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6. M/s. Sastikumar Farms and Foods Pvt. Ltd.,
Rep. by Director,
Ponni Plaza,
114-B, III Floor,
Paramathi Road,
Namakkal – 637 001.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 1st respondent to consider the representation of the petitioner dated 03.05.2024 for removal of the Electricity Poles which has been already erected unauthorisedly in S.F.No.254/3A in patta land situated at Akkiyampatti, Senthamangalam Post and Namakkal.

For Petitioner : Mr.N.Umapathi

For Respondents : Mr.Yogesh Kannadasan
Special Government Pleader [R1 to R3]
Mr.S.Kalaiselvan
Standing Counsel [R4 & R5]

ORDER

This Writ Petition has been filed seeking for a Writ of Mandamus, to direct the 1st respondent to consider the representation of the petitioner dated 03.05.2024 for removal of the Electricity Poles which has been already erected unauthorisedly in S.F.No.254/3A in patta land situated at Akkiyampatti, Senthamangalam Post, Namakkal District.



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2. Mr.Yogesh Kannadasan, learned Special Government Pleader, accepts notice on behalf of the respondents 1 to 3 and Mr.S.Kalaiselvan, learned Standing Counsel, accepts notice on behalf of the respondents 4 and 5. In view of the consent expressed by the learned counsel appearing for the parties, this writ petition is taken up for final disposal at the stage of admission itself.

3. Since no adverse order has been passed against the 6th respondent, notice to the 6th respondent is dispensed with.

4. The case of the petitioner is that, he is the owner of the property in S.F.No.254/3A measuring to an extent of 6186 ½ sq.ft. and he has been in peaceful possessions and enjoyment of the property. The 6th respondent had erected electrical pole on the front side of the petitioner's land, which is nearby Sarkar Poromboke Street and the electrical pole erected on the said patta land for the purpose of transferring the electricity to the 6th respondent. For removal of the said electrical pole, the petitioner made representations dated 10.04.2024, 29.04.2024 and 03.05.2024 before the respondents 1 to 3, for which, the



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5th respondent has sent a reply stating that the 5th respondent is not erecting the electrical poles in the said patta land. However, the 6th respondent has been erecting the illegal electrical poles. Therefore, the petitioner has filed the above writ petition before this court for appropriate orders.

5. Though very many grounds have been raised in this writ petition, the learned counsel for the petitioner submits that, it would suffice, if this Court issues a direction to the 1st respondent to consider the petitioner's representation dated 03.05.2024 and pass appropriate orders, within a time frame that may be fixed by this Court.

6. Considering the limited request sought for by the learned counsel appearing for the petitioner, this court, without going into the merits of the case, directs the 1st respondent to consider the petitioner's representation dated 03.05.2024 and pass appropriate orders, on merits and in accordance with law, after providing opportunity to the 6th respondent, within a period of twelve (12) weeks from the date of receipt of a copy of this order.



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7. With the above direction, this Writ Petition is disposed of. No

costs.

06.08.2024

Index : Yes / No

Speaking order / Non-speaking order

Neutral Citation Case : Yes / No

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To

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M.DHANDAPANI, J.

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