



WP(MD). No.22482 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Date : 15/10/2024

CORAM

The Hon`ble Mr.Justice N.SATHISH KUMAR

**WP(MD). Nos.22482 and 22391 of 2024
and WMP(MD) Nos.19050 and 18972 of 2024**

Tamizharasi

... Petitioner in
WP No.22482/2024

Ragunathan

... Petitioner in
WP No.22391/2024

Vs

1. The Superintendent of Engineer,
Tamilnadu Electricity Board, Sivagnagai..

2. The Executive Engineer,
Tamilnadu Electricity Board, Sivagangai..

3. The Assistant Executive Engineer,
Tamilnadu Electricity Board, Sivagangai..

4. The Assistant Engineer,
Tamilnadu Electricity Corporation,
Malampati - 630561.

5. S.Prasath,
S/o.Subramaniyan,
Puthuvayal Nagar,
Kamarajar Colony, Melur Road,
Sivagangai Taluk,.



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6. Kavitha,
D/o.Siuvaraman,
Puthuvayal Nagar,
Kamarajar Colony,
Melur Road,
Sivagangai Taluk,.

... Respondents in
both writ petitions

PRAYER in WP(MD) No.22482/2024:- Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus to calling for the entire relevant records relating to the impugned order passed by the 4th respondent vide Ka.No.UMiPo/Pa/ Malampatti/Co.Dec/A.No.193/2023 dated 12.12.2023 and set aside the same as illegal and consequently direct the respondents Nos. 1 to 4 forthwith remove low voltage lines in the petitioners own land in survey No.101A-3B to an extent of 03.98 Hectare in Kanchirankaal Revenue Village Sivagangai Taluk Sivagangai District and lay the same EB line in alternative nearby poles with necessary cost of the petitioner within a stipulated time that may be fixed by this Court.

PRAYER :- Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus to calling for the entire relevant records relating to the impugned order passed by the 4th respondent vide Ka.No.UMiPo/Pa/ Malampatti/ Co.Dec/A.No.27/2024 dated 20.01.2024 and set aside the same as illegal and consequently direct the respondents Nos. 1 to 4 forthwith remove low voltage lines in the petitioners own land in survey No.101/2A3 in Kanchirankaal Revenue Village Sivagangai Taluk Sivagangai District



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and lay the same EB line in alternative nearby poles with necessary cost of the petitioner within a stipulated time that may be fixed by this Court.

For Petitioners : Mr.R.Senthilkumar

For Respondents : Mr.S.Deenadayalan
for R1 to R4

COMMON ORDER

By consent of both sides, the writ petitions themselves are taken up for final disposal at the stage of admission itself.

2. Challenge has been made to the impugned orders dated 12.12.2023 and 20.01.2024 of the 4th respondent, wherein the petitioners' request to shift the existing line to the other place has been rejected on the ground that objection has been raised by the respondents 5 and 6. The respondents 5 and 6 have mainly made an objection that in the event of shifting, their connection will be disconnected.

3. It is the case of the petitioners that now the existing line is passing on the petitioners' property, which is causing hindrance and it



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will have a serious impact to the property and further construction is also stalled. Hence, they are before this Court with these writ petitions.

4. When the writ petitions were listed for admission, this Court directed the learned counsel for the respondents to get instructions with regard to feasibility to shift the nearby pole.

5. When the matters were taken up for hearing today, the learned counsel for the respondents would submit that it is feasible to shift the pole, provided, the cost for such shifting should be borne out by the petitioners under DCS.

6. The learned counsel for the petitioners would submit that the petitioners are ready to deposit the said amount for shifting.

7. In such view of the matter, the petitioners shall make fresh application for shifting the pole and line and on the petitioners' depositing the amount/expenses for shifting, shifting shall be made. It is made clear that while shifting, the electricity connection already given to



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the respondents 5 and 6 shall not be disconnected and it should be ensured that the respondents 5 and 6 also get electricity service connection.

8. The writ petitions are disposed of with the above directions. No costs. Consequently connected Miscellaneous Petitions are closed.

15.10.2024

RR



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N.SATHISH KUMAR,J

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**ORDER
IN
WP(MD) No.22482 of 2024**

Date : 15/10/2024