



W.P.(MD)No.8934 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.08.2024

CORAM

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.(MD)No.8934 of 2017

and

W.M.P.(MD)No.6831 of 2024

S.Saravanan

... Petitioner

Vs.

1.The Executive Engineer,
Operation and Maintenance
Tamil Nadu Generation and Distribution Corporation Limited,
(Formerly Tamil Nadu Electricity Board),
T.N.E.B.Complex,
Kovai Road,
Karur District – 639 113.

2.The Assistant Engineer,
Operation and Maintenance,
Tamil Nadu Generation and Distribution Corporation Limited,
(Formerly Tamil Nadu Electricity Board),
Thottakurichi,
Pugalur Sugar Factory,
Karur District – 639 113.

3.The Executive Officer,
Punjai Pugalur Town Panchayat,
Velayudham Palayam,
Karur District – 639 117.

4.I.Abibullah

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, forbearing the respondents 1 and 2 from shifting the existing 11 K.V. (11000 Volt) High Tension Electricity Power Line running through the Plot No.3, 20 and 21, in the Layout called “Poonga Nagar” comprised in S.No.517/A, S.No.517/B, New S.No.517/B1B, Punjai Pugalur Village, Mariappa Pillai Colony, Nanaparappu Road, Pugalur, Karur District – 639 113 towards closer to the petitioner's property bearing Plot No.4, Door No. 38, comprised in S.No.517/B1B4, Punjai Pugalur Village, Poonga Nagar, Mariappa Pillai Colony, Nanaparappu Road, Pugalur, Karur District – 639 113.

For Petitioner : Mr.P.Babu

For R-1 and R-2 : Mr.S.Deenadhayalan

For R-3 : Mr.R.Suresh Kumar
Additional Government Pleader

For R-4 : Mr.M.Mithun

ORDER

This Writ Petition is filed praying for a Mandamus, forbearing the respondents 1 and 2 from shifting the existing High Tension Electricity Power Line running through Plot Nos.3, 20 and 21 closer to the petitioner's property bearing Plot No.4, Door No.38, comprised in S.No.517/B1B4, Punjai Pugalur Village, Poonga Nagar, Mariappa Pillai Colony, Nanaparappu Road, Pugalur, Karur District – 639 113.



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2. It is submitted by the learned counsel for the petitioner that at the instigation of the fourth respondent, the respondents 1 and 2 are trying to shift the High Tension Power Line closer to the petitioner's property. In this regard, the petitioner along with adjacent land owners has given representation on 19.04.2017 and 04.05.2017, raising objection regarding proposed shifting of the existing High Tension Power Line. Since no action was taken, the present petition is filed.

3. When the matter was taken up for hearing, the learned Standing Counsel for the respondent Board would submit that the requirements which need to be complied with, to shift the High Tension Electricity Power Line is provided in Rules 78 to 80 of the Indian Electricity Rules, 1956. It is further submitted by the learned Standing Counsel that any shifting of the present High Tension / Low Tension Electricity Power Line would be in compliance with the appropriate Rule viz., Rule 78 to 80 of the Indian Electricity Rules, 1956.

4. At this juncture, the learned counsel for the petitioner would submit that there is an alternate site which could be possibly considered by the



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respondent Board to which the learned counsel for the respondents would submit that the petitioner may submit a fresh representation and the same would be considered. The same is acceded to by the learned counsel for the petitioner as well.

5. In view thereof, the petitioner may submit a fresh representation within a period of two weeks from the date of receipt of a copy of this order. If any such representation is submitted, the same shall be disposed of by the respondent Board as expeditiously as possible and until then, the Electricity lines shall not be shifted.

6. Accordingly, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

28.08.2024

NCC:yes/no
Index:yes/no
Internet:yes/no
Nsr



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MOHAMMED SHAFFIQ, J.

Nsr

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