



W.P.(MD)No.27241 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **15.11.2024**

CORAM:

THE HONOURABLE **MRS.JUSTICE L.VICTORIA GOWRI**

W.P.(MD)No.27241 of 2024

P.Mariammal

... Petitioner

Vs.

1.The Executive Engineer,
TNEB Tiruppalai Office,
TANGEDCO,
New Natham Main Road,
Tirupalai (Opposite JR Mahal),
Madurai - 625 014.

2.The Assistant Executive Engineer,
TNEB Tiruppalai Office,
TANGEDCO,
New Natham Main Road,
Tirupalai (Opposite JR Mahal),
Madurai - 625 014.

3.The Assistant Engineer,
TNEB Tiruppalai Office,
TANGEDCO,
New Natham Main Road,
Tirupalai (Opposite JR Mahal),
Madurai - 625 014.

... Respondents



W.P.(MD)No.27241 of 2024

PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents to remove the electricity pole installed in petitioner's property bearing plot no.2 comprised in R.S.No.26/3B, present R.S.No.26/24 measuring about 1,444 sq.ft., situated at Siruthur Village, Thiruppalai Group, Madurai North Taluk, Madurai District, on the basis of the petitioner's application dated 20.05.2024 within time frame as may be fixed by this Court.

For Petitioner : Mr.M.Ponniah

For Respondents : Mr.S.Deenadhayalan

Standing Counsel

ORDER

Mr.S.Deenadhayalan, learned Standing Counsel takes notice for the respondents. By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

2. The prayer in the Writ Petition reads as follows:-

“To issue a Writ of Mandamus, directing the respondents to remove the electricity pole installed in the petitioner's property bearing plot no.2 comprised in R.S.No.26/3B, present R.S.No.26/24 measuring about 1,444 sq.ft., situated at Siruthur Village, Thiruppalai Group, Madurai North Taluk, Madurai District, on the basis of the petitioner's application dated 20.05.2024 within time frame as may be fixed by this Court.”



W.P.(MD)No.27241 of 2024

WEB COPY

3. Heard the learned counsel on both sides and carefully perused the entire materials available on record.

4. The petitioner had made an application / representation on 20.05.2024 to the respondents requesting them to remove the electricity pole installed in the petitioner's property. Since the same has not been considered, this writ petition has been filed.

5. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon the respondent to consider the same on its own merits and pass appropriate orders in one way or other instead of keeping the same pending indefinitely. As such, non-consideration of the representation made by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking the extraordinary powers under Article 226 of the Constitution of India.

6. In view of the same, without going into the merits of this writ petition, this Court hereby direct the respondents to consider the petitioner's application / representation dated 20.05.2024 and pass appropriate orders on merits and in



W.P.(MD)No.27241 of 2024

accordance with law, within a period of six weeks from the date of receipt of
copy of this order.

7. With the above direction, the Writ Petition stands allowed. There shall
be no order as to costs.

15.11.2024

NCC : Yes / No
Index : Yes / No
Sm



W.P.(MD)No.27241 of 2024

TO:-

WEB COPY

- 1.The Executive Engineer,
TNEB Tiruppalai Office,
TANGEDCO,
New Natham Main Road,
Tirupalai (Opposite JR Mahal),
Madurai - 625 014.
- 2.The Assistant Executive Engineer,
TNEB Tiruppalai Office,
TANGEDCO,
New Natham Main Road,
Tirupalai (Opposite JR Mahal),
Madurai - 625 014.
- 3.The Assistant Engineer,
TNEB Tiruppalai Office,
TANGEDCO,
New Natham Main Road,
Tirupalai (Opposite JR Mahal),
Madurai - 625 014.



WEB COPY



W.P.(MD)No.27241 of 2024

L.VICTORIA GOWRI, J.

Sm

Order made in
W.P.(MD)No.27241 of 2024

Dated
15.11.2024