



WEB COPY



W.P.No.4951 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.02.2025

CORAM:

THE HONOURABLE MR. JUSTICE **D.BHARATHA CHAKRAVARTHY**

W.P.No.4951 of 2025

K.RAJATHI

... Petitioner

Vs

1. THE CHAIRMAN
TN GENERATION AND DISTRIBUTION CO., LTD.,
NO.823, LINK ROAD,
ANNA SALAI,
CHENNAI -600002.
2. THE EXECUTIVE ENGINEER
OPERATION AND MAINTENANCE,
TN GENERATION AND DISTRIBUTION CO., LTD.,
EDAPPADI,
SALEM DISTRICT.
3. THE ASSISTANT ENGINEER
OPERATION AND MAINTENANCE,
TN GENERATION AND DISTRIBUTION CO., LTD.,
KONAGNAPURAM,
SALEM DISTRICT.
4. M. GOVINDAN
5. M. KANDASAMY
6. K. THANGAVEL
7. K. AYYANKUTTY

... Respondents



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Prayer: Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Mandamus, directing the respondents 1 to 3 to relocate the electric pole with meter box for SC.No.175 from the petitioner's lands in S.F.No.160/8 B to the land with well in S.F.No.160/7, Konasamudram Village, Edappadi Taluk, Salem District by considering the petitioner's representation dated 28.11.2024.

For Petitioner	: Mr.R. Renukadevi
For R1 to R3	: Mr.I.Syed Sibghatulla (TANGEDCO)

ORDER

The writ petition is filed seeking a mandamus to relocate the electric pole with the meter/Pillar box for S.C.No. 175 from the petitioner's lands in S.F.No.160/8B to the land with a well in S.F.No.160/7, Konasamudram Village, Edappadi Taluk, Salem District, by considering the petitioner's representation dated 28.11.2024.

2. In view of the nature of the relief sought, this writ petition is disposed of at the admission stage without notice to the respondents 4 to 7 and keeping the rights of the parties open.



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3. It is the case of the petitioner that the said service connection caters to the well and the lands in survey No.160/7 does not belong to the petitioner's lands. It is the contention of the petitioner that instead of erecting the pole on the concerned service owner's land, the pole was installed on the petitioner's land. Therefore, the petitioner submitted a representation requesting the pole's relocation. The authorities conducted an inspection and found that the relocation of the pole is feasible. They then directed the petitioner to deposit the relocation charges, which the petitioner has complied with. However, no further action has been taken thereafter.

4. The learned counsel appearing on behalf of the respondents 1 to 3 would submit that the further proceedings have not been carried out due to objections raised by the respondents 4 to 7.

5. While, it may be true that the objections have been raised, it is for the respondent authorities to address these objections, decide on them and pass an order. Especially since the authorities have already found, through inspection, that the relocation is feasible and have directed the petitioner to



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deposit the charges, the respondent authorities are obligated to give an opportunity to the objectors, pass final order, and proceed with the relocation based on those orders.

5. In view thereof, this writ petition is disposed of on the following terms:-

(i) The respondents 1 to 3 shall consider the petitioner's representation dated 28.11.2024 by issuing notice to both the petitioner and the respondents 4 to 7.

(ii) After hearing both sides, the respondents 1 to 3 shall pass final orders and take the necessary action within two weeks from the date of receipt/production of the website uploaded copy of this order, without waiting for the certified copy of the order.

(iii) No costs.

14.02.2025

Neutral Citation: Yes/No
nsl



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To

1. THE CHAIRMAN
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CHENNAI -600002.
2. THE EXECUTIVE ENGINEER
OPERATION AND MAINTENANCE,
TN GENERATION AND DISTRIBUTION CO., LTD.,
EDAPPADI,
SALEM DISTRICT.
3. THE ASSISTANT ENGINEER
OPERATION AND MAINTENANCE,
TN GENERATION AND DISTRIBUTION CO., LTD.,
KONAGNAPURAM,
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D.BHARATHA CHAKRAVARTHY, J.

ns1

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