



W.P.No.15769 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 30.04.2025

CORAM:

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

W.P.No.15769 of 2025

and

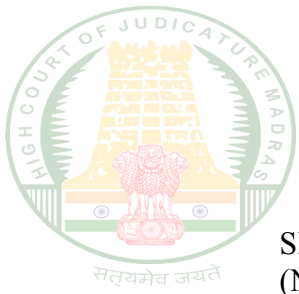
W.M.P.No.17830 of 2025

P.SANTHI

... Petitioner

Vs

1. THE SUPERINTENDING ENGINEER,
TAMILNADU POWER DISTRIBUTION
CORPORATION LIMITED, (TNPDC),
(FORMERLY TANGEDCO),
NO. 948, E.V.N.ROAD,
ERODE - 638 009.
2. THE EXECUTIVE ENGINEER / SOUTH,
TAMILNADU POWER DISTRIBUTION
CORPORATION LIMITED (TNPDC),
(FORMERLY TANGEDCO)
ERODE 948, E.V.N.ROAD,
ERODE - 638 009.
3. THE ASSISTANT EXECUTIVE ENGINEER,
TAMILNADU POWER DISTRIBUTION
CORPORATION LIMITED (TNPDC),
(FORMERLY TANGEDCO) OPERATION & MAINTENANCE (O AND M),
SIVAGIRI, THALAIYANALLUR,
AMMANKOIL POST, SIVIGIRI - 638 109,
ERODE DISTRICT.
4. THE ASSISTANT ENGINEER,
TAMILNADU POWER DISTRIBUTION
CORPORATION LIMITED (TNPDC),
(FORMERLY TANGEDCO)
OPERATION & MAINTENANCE (O & M),



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SIVAGIRI TOWN, ANNA STREET,
(NEAR NEW BUS STAND)
SIVAGIRI – 638 109,
ERODE DISTRICT.

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5. K. SAKTHIVEL

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Mandamus, directing the respondents 1 to 4 or competent authority to remove the electric pole installed in the petitioner's agriculture land situated in old survey No.396/1, New Survey No.488/1, Kulavilakku - B Village, Modakurichi Taluk, Erode District based on the petitioner's representation dated 07.04.2025 and 24.04.2025 to the respondents 1 to 4 within the stipulated period as fixed by this Court within a time frame as fixed by this Court.

For Petitioner : Mr.V.Balamurugan

For R1 to R4 : Mr.D.R.Arunkumar (TNPDCCL)

ORDER

The prayer in the writ petition is to direct respondents 1 to 4 to remove the electric pole installed in the petitioner's agricultural land situated in Old Survey No. 396/1, New Survey No. 488/1, Kulavilakku-B Village, Modakurichi Taluk, Erode District, based on the petitioner's representations dated 07.04.2025 and 24.04.2025.

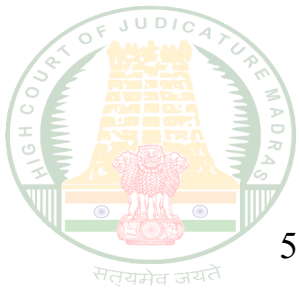


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WEB COPY 2. The learned counsel appearing for the petitioner submitted that the petitioner's objection was not considered, no compensation was paid and the consent of the petitioner was not obtained before entering the land.

3. I have considered the submissions made by the learned counsel appearing for the petitioner and perused the material records of the case.

4. On perusal of the photograph, it can be seen that the pole has been erected in the middle of the petitioner's land. It is settled law that the Telegraph Authority can enter any land and erect a pole. Only if there is a grave disadvantage to the petitioner in the use of the land, compensation can be claimed. If the petitioner wants to shift the pole by proposing an alternative route, then an appropriate application has to be made. Only upon payment of all the shifting charges and depending on feasibility, the request can be considered by the respondent, TANGEDCO. Otherwise, the petitioner cannot object to the mere erection of the pole itself.



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5. Therefore, with liberty reserved to the petitioner to make an application to shift the pole upon payment of charges, this writ petition is disposed of. Consequently, connected miscellaneous petition is closed. No costs.

30.04.2025

Neutral Citation: Yes/No
nsl

To

1. THE SUPERINTENDING ENGINEER,
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CORPORATION LIMITED, (TNPDC),
(FORMERLY TANGEDCO),
NO. 948, E.V.N.ROAD, ERODE - 638 009.
2. THE EXECUTIVE ENGINEER / SOUTH,
TAMILNADU POWER DISTRIBUTION
CORPORATION LIMITED (TNPDC),
(FORMERLY TANGEDCO)
ERODE 948, E.V.N.ROAD, ERODE - 638 009.
3. THE ASSISTANT EXECUTIVE ENGINEER,
TAMILNADU POWER DISTRIBUTION
CORPORATION LIMITED (TNPDC),
(FORMERLY TANGEDCO) OPERATION & MAINTENANCE (O AND M),
SIVAGIRI, THALAIYANALLUR,
AMMANKOIL POST, SIVIGIRI - 638 109, ERODE DISTRICT.
4. THE ASSISTANT ENGINEER,
TAMILNADU POWER DISTRIBUTION
CORPORATION LIMITED (TNPDC),
(FORMERLY TANGEDCO)
OPERATION & MAINTENANCE (O & M),
SIVAGIRI TOWN, ANNA STREET,
(NEAR NEW BUS STAND)
SIVAGIRI – 638 109,
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D.BHARATHA CHAKRAVARTHY, J.

nsI

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