



W.P.(MD)No.1762 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.02.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.1762 of 2025

Pandimeenal

... Petitioner

-VS-

1.The District Collector,
Sivagangai District, Sivagangai.

2.The Superintending Engineer,
Tamil Nadu Generation and Distribution
Corporation Limited (TANGEDCO),
Electricity Distribution Circle, Sivagangai,
Sivagangai District.

3.The Assistant Executive Engineer,
Tamil Nadu Generation and Distribution
Corporation Limited (TANGEDCO),
Electricity Distribution Circle,
Kalaiyarkovil, Sivagangai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the third respondent to remove the electric lines and electric poles dangerously passing through the petitioner's property in Survey No.244/25 of A.Karunkulam Village, Kalayarkovil Taluk, Sivagangai District, by considering the petitioner's representation dated 16.12.2024, within a time frame fixed by this Court.



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For Petitioner : Mr.S.Vishnuvardhan
For R1 : Mr.J.K.Jayaselan
Government Advocate
For R2 and R3 : Mr.S.Deenadhayalan
Standing Counsel

ORDER

This Writ Petition has been filed seeking a direction to the third respondent to remove the electric lines and electric poles dangerously passing through the petitioner's property in Survey No.244/25 of A.Karunkulam Village, Kalayarkovil Taluk, Sivagangai District, by considering the petitioner's representation dated 16.12.2024.

2. With the consent of both sides, this Writ Petition is disposed of, at the admission stage itself.

3. The petitioner claims that the property stands in the name of her son. On 16.12.2024, she submitted a representation to the respondents 2 and 3, requesting the removal of electric lines and poles that are dangerously passing through her property in Survey No.244/25 of A.Karunkulam Village, Kalayarkovil Taluk,



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Sivagangai District. Since no action has been taken, the petitioner has now filed the present Writ Petition

4. Heard both sides.

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 him 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 by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of the Constitution of India and direct them to consider the same within a stipulated time.

6. In the light of the above observations, there shall be a direction to the third respondent herein to consider the petitioner's representation dated 16.12.2024, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner, as well as all other persons, who may be interested in the subject matter, within a period of four weeks from the



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date of receipt of a copy of this order. It is also made clear that this Court has not expressed any of its views with regard to the merits of the matter and that it is open to the third respondent to consider the same on its own merits.

7. With the above directions, the Writ Petition stands disposed of. There shall be no order as to costs.

NCC : Yes / No
Index : Yes / No
smn2

06.02.2025

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VIVEK KUMAR SINGH, J.

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