



W.P.(MD)No.3866 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.02.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.3866 of 2025

and

W.M.P.(MD)No.2797 of 2025

P.Murugan

... Petitioner

-VS-

1.The District Collector,
Kanyakumari District,
Kanyakumari.

2.The Executive Engineer (TLC),
Tamil Nadu Electricity Board,
Maharajanagar,
Tirunelveli District.

3.The Assistant Divisional Engineer (TLC),
Tamil Nadu Electricity Board,
Parvathipuram, Nagercoil,
Kanyakumari District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to pass orders on the representation dated 27.01.2025 of the petitioner and to draw the electric HT Line through alternative route without affecting the petitioner's agricultural land.



W.P.(MD)No.3866 of 2025

For Petitioner : Mr.K.Vadivelu
For R1 : Mr.K.S.Selvaganesan
Additional Government Pleader
For R2 and R3 : Mr.S.Deenadhayalan
Standing Counsel

ORDER

This Writ Petition has been filed seeking a direction to the respondents to pass orders on the representation of the petitioner, dated 27.01.2025 and to draw the electric HT Line through alternative route without affecting the petitioner's agricultural land.

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

3. The petitioner claims to be the absolute owner of the property. In December 2024, the respondents 2 and 3, without prior permission from the petitioner, entered the petitioner's land and attempted to install a high-tension electric line through it. Despite the petitioner raising oral objections, the respondents 2 and 3 again attempted to install the high-tension line on



W.P.(MD)No.3866 of 2025

24.01.2025. Hence, the petitioner submitted a representation to the respondents on 27.01.2025, requesting them to change the alignment and to draw the high tension line through an alternative route without disturbing the petitioner's agricultural land. Since no action was 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 respondents 2 and 3 herein to consider the petitioner's representation dated



W.P.(MD)No.3866 of 2025

27.01.2025, 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 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 respondents 2 and 3 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. Consequently, connected Miscellaneous Petition is closed.

NCC : Yes / No
Index : Yes / No
smn2
To:-

13.02.2025

- 1.The District Collector,
Kanyakumari District,
Kanyakumari.
- 2.The Executive Engineer (TLC),
Tamil Nadu Electricity Board,
Maharajanagar,
Tirunelveli District.



W.P.(MD)No.3866 of 2025

WEB COPY

3.The Assistant Divisional Engineer (TLC),
Tamil Nadu Electricity Board,
Parvathipuram, Nagercoil,
Kanyakumari District.



WEB COPY



W.P.(MD)No.3866 of 2025

VIVEK KUMAR SINGH, J.

smn2

W.P.(MD)No.3866 of 2025

13.02.2025