



W.P.(MD)No.6817 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.03.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.6817 of 2025

B.Anantha Sivakami

: Petitioner

Vs.

1. The Superintending Engineer,
Tamil Nadu Electricity Board,
Sivagangai Distribution Circle,
Sivagangai District.

2. The Executive Engineer,
Tamilnadu Electricity Board,
Thiruppathur,
Sivagangai District.

3. The Assistant Engineer,
Tamil Nadu Electricity Board,
Thiruppathur,
Sivagangai District.

: Respondents

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the 3rd respondent to remove the electricity pole erected in the petitioners land near Government Primary School in Survey No. 109/26 and Patta No. 309 of Sunnambiruppu Village and Group, Thiruppathur Taluk, Sivagangai District.



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For Petitioner : Mr. M.Sudharani

For Respondents : Mr.S.Deenadhayalan

ORDER

This Writ Petition has been filed for a direction to the third respondent to remove the electricity pole erected in the petitioner's land near Government Primary School in Survey No. 109/26 and Patta No. 309 of Sunnambiruppu Village and Group, Thiruppathur Taluk, Sivagangai District.

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

3. The petitioner claims that she is the owner of the subject land. In the adjacent land to the petitioner's property, a Government School has been functioning in Survey No.109/25. The grievance of the petitioner is that the third respondent erected a Low Tension Power lines pole on the western side of the petitioner's land and in the pathway leads to the school. In this regard, the petitioner submitted a representation to the respondents on 14.02.2025. However, since no action has been taken, the petitioner is constrained to file the present writ petition.



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4. The learned counsel appearing on behalf of the respondents submits that since the petitioner's grievance pertains to the erection of a Low Tension Power Line pole on the western side of her land, she must approach the concerned District Magistrate to raise any objections under Section 17 of the Indian Telegraph Act. Under the provisions of the said statute, the District Magistrate is the competent authority to address grievances or objections arising under the Act.

5. Heard the learned counsel for the parties and perused the materials on record.

6. Upon considering the submissions, this Court finds that the petitioner's grievance regarding the erection of a Low Tension Power Line pole on the western side of her land falls within the purview of Section 17 of the Indian Telegraph Act, 1885. Under the provisions of the Act, the District Magistrate is the competent authority to address any objections or grievances related to such matters. Therefore, the petitioner is directed to approach the concerned District Magistrate to raise all her objections on the grounds raised in this writ petition.



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7. This writ petition is disposed of with the above direction.

No costs.

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Index : Yes / No

Internet : Yes / No

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VIVEK KUMAR SINGH, J.

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