

*W.P.(MD)No.7797 of 2025*

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**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED: 21.03.2025**

**CORAM:**

**THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH**

**W.P.(MD)No.7797 of 2025**

Sathiyaraj

: Petitioner

Vs.

1. The Executive Engineer,  
Operation and Maintenance,  
TANGEDCO, Pudukottai,  
Pudukottai District.

2. The Assistant Executive Engineer,  
Operation and Maintenance,  
TANGEDCO, Athanakottai,  
Pudukottai District.

3.Jebasthiar

: Respondents

**PRAYER:** Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 1 and 2 to remove the electric pole situated in the petitioner's agricultural land in S.No.17/3 of Vathanakottai Village, Kulathur Taluk, Pudukottai District, within stipulated time fixed by this Court.

For Petitioners : Mr.D.Ramesh Kumar



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For Respondents : Mr.S.Deenadhayalan  
Standing Counsel  
for R1 & R2

### **ORDER**

This Writ Petition has been filed seeking a direction to the respondents 1 and 2 to remove the electric pole situated in the petitioner's agricultural land in S.No.17/3 of Vathanakottai Village, Kulathur Taluk, Pudukottai District, within the specified time.

2. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself. Having regard to the nature of the order proposed to be passed in this writ petition, notice to the third respondent is dispensed with.

3. The petitioner claims to be the owner of the agricultural land in Survey No. 17/3 at Vathanakottai Village, Kulathur Taluk, Pudukottai District. Pursuant to a request made by the third respondent, who is the adjacent landowner to the petitioner, the respondents 1 and 2 without conducting any survey and providing an opportunity to the petitioner, erected three electric poles, two of which were placed on the



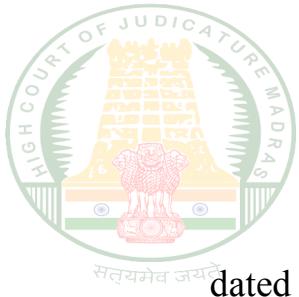
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petitioner's land. Subsequently, the Tahsildar of Pudukottai conducted a peace committee meeting and based on this, the second respondent gave an assurance that the electric line would be shifted to an alternate pathway within 15 days at their own expense. In this regard, the petitioner submitted a representation to the respondents 1 and 2. However, since no action has been taken, the petitioner has now filed the present writ petition.

4. 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.

5. In the light of the above observations, there shall be a direction to the first respondent to consider the petitioner's representation



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dated 17.12.2024, 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 months 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 second respondent to consider the same on its own merits.

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

**21.03.2025**

Index : Yes / No

Internet : Yes / No

PKN



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Pudukottai District.
  
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**VIVEK KUMAR SINGH, J.**

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