



W.P.(MD)No.8979 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.04.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.8979 of 2025

A.Francis

... Petitioner

-VS-

1.The Superintending Engineer,
Tamil Nadu Electricity Board,
Tamil Nadu Generation and Distribution Corporation Limited/
Tamil Nadu Power Distribution Corporation Limited,
Thoothukudi District.

2.The Executive Engineer, (Operation and Maintenance),
Tamil Nadu Electricity Board, Tiruchendur 628 215,
Thoothukudi District.

3.The Junior Engineer (Distribution),
Tamil Nadu Electricity Board,
Paramankurichi - 628 213,
Tiruchendur Taluk,
Thoothukudi District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 3 to shift the Electric Pole which is located in the middle of the Street in Singarayarpuram Lane, Paramankurichi Village Panchayat, Tiruchendur Taluk, Tuticorin District, within a stipulated time may be fixed by this Court.



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For Petitioner : Mr.M.Saravanakumar
For Respondents : Mr.S.Deenadhayalan
Standing Counsel

ORDER

This Writ Petition has been filed seeking a direction to the respondents to shift the Electric Pole, which is located in the middle of the Street in Singarayarpuram Lane, Paramankurichi Village Panchayat, Tiruchendur Taluk, Tuticorin District.

2. By consent, this Writ Petition is taken up for final disposal at the admission stage itself.

3. Seeking to shift the electric pole located in the middle of the street in Singarayarpuram Lane, Paramankurichi Village Panchayat, Tiruchendur Taluk, Tuticorin District, the petitioner submitted a representation to the second respondent dated 17.12.2024. Since the same has not been considered so far, the petitioner has filed the present writ petition.



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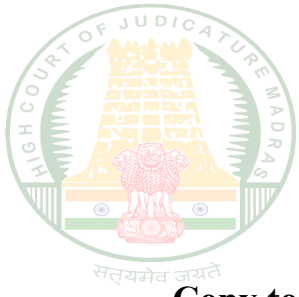
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4. The learned Standing Counsel for the respondents submits that the petitioner has an alternative and efficacious remedy available under Section 17 of the Indian Telegraph Act, 1885 and therefore, he should be directed to approach the District Magistrate for appropriate relief.

5. Recording the above said submission made by the learned Standing Counsel for the respondents, this Writ Petition is disposed of, with liberty to the petitioner to file an application before the District Magistrate under Section 17 of the Indian Telegraph Act, 1885 within a period of two weeks from the date of receipt of a copy of this order. In the event, if any such application is filed within the stipulated period, the District Magistrate shall consider the same on merits and pass appropriate orders in accordance with law, after providing due opportunity to the petitioner as well as all other persons, who may be interested in the subject matter, within a period of six weeks thereafter. There shall be no order as to costs.

NCC : Yes / No
Index : Yes / No
smn2

02.04.2025



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Copy to:-

The District Magistrate / District Collector,
Thoothukudi District.

To:-

- 1.The Superintending Engineer,
Tamil Nadu Electricity Board,
Tamil Nadu Generation and Distribution Corporation Limited/
Tamil Nadu Power Distribution Corporation Limited,
Thoothukudi District.
- 2.The Executive Engineer, (Operation and Maintenance),
Tamil Nadu Electricity Board, Tiruchendur 628 215,
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VIVEK KUMAR SINGH, J.

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