



W.P.(MD)No.9737 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.04.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.9737 of 2025

P.Sudalaiyandi

... Petitioner

-VS-

1.The District Collector,
Kanniyakumari District, Nagercoil.

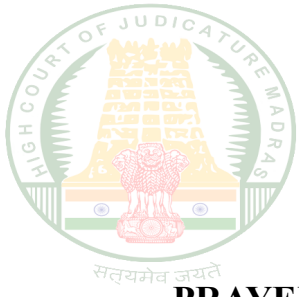
2.The Superintending Engineer,
Tamil Nadu Electricity Board (TANGEDCO),
O/o.Superintending Engineer, Parvathipuram,
Nagercoil, Kanniyakumari District.

3.The Executive Engineer,
Tamil Nadu Electricity Board (TANGEDCO),
O/o.Superintending Engineer, Parvathipuram,
Nagercoil, Kanniyakumari District.

4.The Assistant Executive Engineer,
Tamil Nadu Electricity Board (TANGEDCO),
Kanyakumari, Kanniyakumari District.

5.The Junior Engineer (Distribution),
Tamil Nadu Electricity Board (TANGEDCO),
Suchindram,
Kanniyakumari District.

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 2 to 5 to remove the electricity transformer and electricity pole from its current location, which was erected in front the petitioner's house in Survey No.78/14, Therur Village, Agastheeswaram Taluk, Kanyakumari District, to relocate the same approximately 50 meters away to the Government land by considering the petitioner' s representation dated 30.01.2025.

For Petitioner	:	Mr.N.Pragalathan
For R1	:	Mr.C.Venkatesh Kumar Special Government Pleader
For R2 to R5	:	Mr.S.Deenadhayan Standing Counsel

ORDER

This Writ Petition has been filed seeking a direction to the respondents 2 to 5 to remove the electricity transformer and electricity pole from its current location, which was erected in front the petitioner's house in Survey No.78/14, Therur Village, Agastheeswaram Taluk, Kanyakumari District and to relocate the same approximately 50 meters away to the Government land, by considering the petitioner' s representation dated 30.01.2025.



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

3. Seeking to remove the electricity transformer and pole erected in front of his house and to relocate the same approximately 50 meters away to the Government land, the petitioner submitted a representation to the respondents 1 and 3 to 5 on 30.01.2025. Since the same has not been considered so far, the petitioner has 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 the India and direct them to consider the same within a stipulated time.



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6. In the light of the above observations, there shall be a direction to the respondents 3 and 4 herein to consider the representation of the petitioner, dated 30.01.2025, 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 two 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 concerned respondents to consider the same on its own merits.

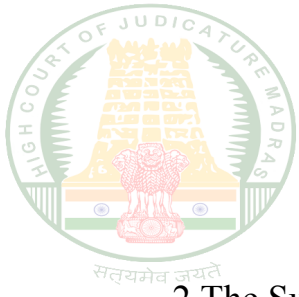
7. With the above direction, the Writ Petition stands disposed of. There shall be no order as to costs.

NCC : Yes / No
Index : Yes / No
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