



W.P.(MD)No.10032 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.04.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.10032 of 2025

R.Mathuraiveeran

: Petitioner

Vs.

1. The Executive Engineer,
Operation and Maintenance,
Trichy East,
Trichirappalli District.

2. The Assistant Executive Engineer,
Operation and Maintenance,
Crawford,
State Bank Colony,
E.Pudur, Papa Colony,
Trichy - 12.

: Respondents

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order passed by the 2nd respondent herein dated 29.01.2025 in proceedings in Ka. No.Vu.Se.Po/E.Ka/Kirapatti/Va.Aa/Ko.Manu/A. No. /2024-25 and quash the same and consequently directing the respondents to shift the low tension electricity line running over petitioners property in Old Survey



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No.262/2 corresponding new Survey No.144/2 of Pratiyur Village, Trichirappalli District upon petitioners requisition letter No. 2000622110241219 in accordance with law within time frame to be fixed by this Hon'ble Court.

For Petitioner : Mr. R.Sakthivel

For Respondents : Mr.S.Deenadhayalan

ORDER

This Writ Petition has been filed challenging the refusal order dated 29.01.2025 issued by the second respondent, in relation to the petitioner's request for shifting of an electric pole and for a consequential direction to the respondents to shift the low tension electricity line running over the petitioner's property in Old Survey No. 262/2 and New Survey No. 144/2, Pratiyur Village, Tiruchirappalli District, based on the petitioner's requisition letter No. 2000622110241219, within the specific time frame.

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

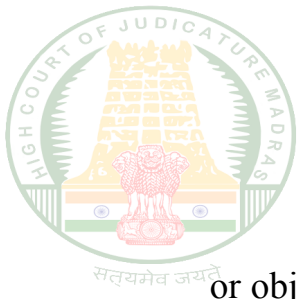


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3. The petitioner claims that he is the owner of the subject land. His case is that a low tension electricity line is running over and above his property. In this regard, the petitioner submitted a request to the respondents on 28.10.2024, seeking shifting of the said line and also paid the necessary charges for the shifting of the electric pole. The second respondent had fixed a sum of Rs. 25,464/- as the charges payable by the petitioner for the said purpose. The grievance of the petitioner is that, despite having paid the said amount and having been issued a receipt by the respondents, the second respondent subsequently issued the impugned proceedings, citing objections raised by the nearby residents' association. Aggrieved by the same, the petitioner has filed the present Writ Petition.

4. The learned counsel appearing on behalf of the respondents submits that since the petitioner's grievance pertains to the shifting of a Low Tension Power Line pole, he 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 the grievances



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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 shifting of a Low Tension Power Line pole falls within the purview of Section 17 of the Indian Telegraph Act, 1885. Under the provisions of the said Act, the District Magistrate is the competent authority to address any objections or grievances arising in such matters. Accordingly, the petitioner is directed to approach the concerned District Magistrate and raise all his objections, as stated in this Writ Petition, by filing an application under Section 17 of the Act within a period of one month from the date of receipt of a copy of this order. Upon such application being filed, the District Magistrate shall entertain and dispose of the same within a period of twelve (12) weeks, after providing due opportunity to the petitioner as well as to any other persons who may be interested in the subject matter.



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

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No costs.

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Index : Yes / No

Internet : Yes / No

PKN

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VIVEK KUMAR SINGH, J.

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