

W.P(MD)No.24594 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.09.2025

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CORAM

THE HONOURABLE MS.JUSTICE P.T.ASHA

Writ Petition(MD)No.24594 of 2025

Sivaraman

... Petitioner

Vs

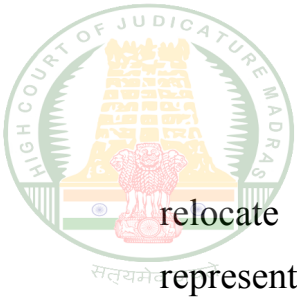
1.The District Collector,
Kanyakumari District,
Kanyakumari.

2.The Superintending Engineer (S.E.),
TANGEDCO,
S.E.Office Parvathipuram,
EDC Nagercoil,
Kanyakumari District.

3.The Assistant Executive Engineer (A.E.E.),
S.S.Campus, Kottaram,
Kanyakumari District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the second and third respondents forthwith to remove the existing small transformer (25kv) fitted in single electric post, from petitioner patta (No.930) property in Sy.No.408/1 in Kottaram East Village, Agasteeswaram Taluk, Kanyakumari District and



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relocate the same in the nearest public street, based on the petitioner's representation dated 06.03.2025.

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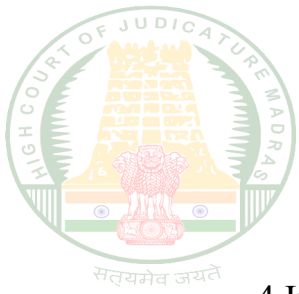
For Petitioner : Mr.P.M.Vishnuvarthanan
For Respondents : Mrs.D.Farjana Ghoushia (for R1)
Special Government Pleader
Mr.S.Deenadhayalan (for R2 & R3)
Standing Counsel

ORDER

This writ petition is filed seeking a direction to the second and third respondents to remove the existing small transformer (25kv) fitted in single electric post, from the petitioner's patta land (Patta No.930) in Sy.No.408/1 in Kottaram East Village, Agasteeswaram Taluk, Kanyakumari District and relocate the same in the nearest public street, based on the petitioner's representation dated 06.03.2025.

2.Heard the learned counsel for the petitioner, Mrs.D.Farjana Ghoushia, learned Special Government Pleader, who takes notice for the first respondent and Mr.S.Deenadhayalan, learned Standing Counsel, who accepts notice for the second and third respondents.

3.By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.



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4.It is the case of the petitioner that the property in question is the ancestral property of the petitioner. All the revenue records are in the name of the petitioner. The adjacent land owners, namely Duraisamy and Viswanathan has obtained a layout showing the property of the petitioner as pathway to that lay out. Based on such layout, the second and third respondents had put up a transformer in the property of the petitioner. The petitioner has sent representations to the third respondent seeking to remove the said transformer from his land. The said representation was not considered by the third respondent. In the meantime, the petitioner has also obtained an order from the Registrar concerned that the subject property cannot be shown as pathway as it is a patta land. Even then, the third respondent has not taken any steps to remove the transformer in the patta land of the petitioner. Hence, the petitioner has filed the present writ petition.

5.It is informed that line has been drawn and transformer has been installed as early as 2023.

6.The petitioner has not taken any steps to forbear the respondents from erecting any transformer in that place. Having slept for about 2 years, the petitioner cannot now make a representation to remove the transformer, which



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was put in use even as early as in 2023. Hence, the prayer of the petitioner cannot be considered and this writ petition is dismissed. No costs.

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11.09.2025

NCC : Yes/No
Index : Yes/No
Internet: Yes
Rmk

To

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P.T.ASHA, J.

Rmk

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