



W.P.(MD).No.30922 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.03.2025

CORAM:

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

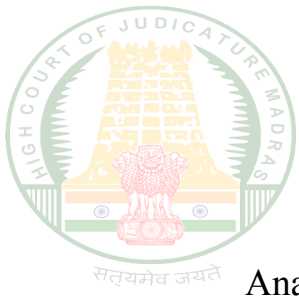
W.P.(MD)No.30922 of 2024
and W.M.P.(MD)No.25999 of 2024

P.Thivya

... Petitioner

-VS-

- 1.The Superintendent of Engineer,
O/o. Pudukkottai Electricity Distribution Circle,
Near Rto Office, EB Complex,
Near Old Bus Stand,
Pudukkottai,
Pudukkottai District – 622 001.
- 2.The Executive Engineer / Distribution,
O/o. Arandhangi Electricity Distribution Circle,
No.37, Rengojibhava Street,
Agraharam, Arandhangi,
Pudukkottai District - 614 624.
- 3.The Assistant Executive Engineer / Town,
O/o. Tamil Nadu Electricity Board and
Electricity Distribution Circle,
Alangudi Nehru Nagar,
Near Bus Stand, Alangudi,
Pudukkottai District – 622 301.
- 4.The Assistant Engineer,
Tamil Nadu Electricity Board and
Electricity Distribution Circle,
LN Puram,
No.884, Lakshmi Narasimmapuram,



W.P.(MD).No.30922 of 2024

WEB COPY Anavayal,
Pudukkottai District – 622 304.

5.Vairavan

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the 4th respondent herein to remove the Electricity Pole, which was placed in petitioner land comprised in Survey No. 208/5B, 208/8, 203/1A1A and 185/3B1 to an extent of 1.06.50 hectare situated at Neduvasal East Village, Alangudi Taluk, Pudukkottai District by considering petitioner representation dated on 02.12.2024, in accordance with law, within the time stipulated by this Court.

For Petitioner : Mr.D.Balamurugapandi

For Respondents : Mr.S.Deenadhayalan,
Standing Counsel (R1 to R4)

ORDER

This writ petition has been filed seeking a direction to the 4th respondent herein to remove the Electricity Pole, which was placed in petitioner's land comprised in Survey No.208/5B, 208/8, 203/1A1A and 185/3B1 to an extent of 1.06.50 hectare situated at Neduvasal East Village, Alangudi Taluk, Pudukkottai District by considering the petitioner's representation dated on 02.12.2024, in accordance with law, within the time stipulated by this Court.



W.P.(MD).No.30922 of 2024

WEB COPY

2. It is the case of the petitioner that the fifth respondent and his office workers erected the utility electrical pole in the subject property belonging to the petitioner's family, by damaging the fence and trees therein, without the knowledge of the petitioner and took electricity connection through the subject land and therefore, the petitioner is not able to use the land.

3. Heard the learned counsel on either side.

4. The petitioner made a representation to the respondents dated 02.12.2024, with regard to removal of electric pole which was erected by the fifth respondent. Since the said representation was not considered, the petitioner has filed the present Writ Petition.

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



W.P.(MD).No.30922 of 2024

WEB COPY

extraordinary powers under Article 226 of the Constitution of India and direct them to consider the same within a stipulated time.

6. In the light of the above observations, there shall be a direction to the fourth respondent to consider the petitioner's representation dated 02.12.2024, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner and the private respondent, 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 respondents to consider the same on its own merits.

7. With the above observations and directions, the Writ Petition stands disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

18.03.2025

NCC : Yes/No
Index : Yes / No
sm



W.P.(MD).No.30922 of 2024

WEB CUTO:-

- 1.The Superintendent of Engineer,
O/o. Pudukkottai Electricity Distribution Circle,
Near Rto Office,
EB Complex,
Near Old Bus Stand,
Pudukkottai,
Pudukkottai District – 622 001.
- 2.The Executive Engineer / Distribution,
O/o. Arandhangi Electricity Distribution Circle,
No.37, Rengojibhava Street,
Agraharam,
Arandhangi,
Pudukkottai District - 614 624.
- 3.The Assistant Executive Engineer / Town,
O/o. Tamil Nadu Electricity Board and
Electricity Distribution Circle,
Alangudi Nehru Nagar,
Near Bus Stand, Alangudi,
Pudukkottai District – 622 301.
- 4.The Assistant Engineer,
Tamil Nadu Electricity Board and
Electricity Distribution Circle,
LN Puram,
No.884, Lakshmi Narasimmapuram,
Anavayal, Pudukkottai District – 622 304.



WEB COPY



W.P.(MD).No.30922 of 2024

VIVEK KUMAR SINGH, J.

sm

Order made in
W.P.(MD)No.30922 of 2024

Dated:
18.03.2025