IN THE HIGH COURT OF JHARKHAND AT RANCHI
W.P.(C) No. 5195 of 2021

Premlata Rama wife of Sri Mangan Rama, resident of Village Bagu Para, Mulours Tank Road, Babu Para, Ward No.11, Post Office Godda, Police Station Godda (Town), District Godda.

… … Petitioner

Versus

1. The State of Jharkhand.
2. The Executive Engineer, Department of Electricity, Supply Division Godda, Post Office Godda, Police Station Godda (Town), District Godda.

… … Respondents

CORAM : SRI ANANDA SEN, J.

For the Petitioner : Mr. Manoj Kumar Sah, Advocate
For the Respondents: Mr. Mrinal Kanti Roy, Advocate
Mr. Manoj Kumar, Sr. SC JBVNL

11/15.09.2026 Heard learned counsel for the parties.

2. Petitioner, in this writ petition, has prayed for issuance of an appropriate writ(s)/direction(s) commanding upon the respondents to remove the 33,000 volt high tension wire that is passing through Mullors Tank Road, Babupara, Ward No.11, PO Godda, PS Godda (T), District Godda, Near Gandhi Maidan since aforesaid 33 KV high tension wire has been passing through in front of house of the petitioner approximately 3 feet away from her house AND for a further direction upon the respondents to fix the 33000 volt high tension wire through the process of underground cables.

3. It is the case of the petitioner that Electricity Department is fixing 33000 volt high tension wire passing through approximately 3 feet away from the house of the petitioner at Mullors Tank Road, Babu Para, Ward No.11, Godda, Near Gandhi Maidan, PS Godda (M), District. Petitioner addressed a written request on 14.06.2019, objecting to the said laying high tension wire. Petitioner has also raised her grievance before the Hon'ble Chief Minister Jansambad Forum, which was forwarded to the Additional Collector (Nodal Officer), Godda, upon which vide letter dated 28.06.2019 contained in Memo No.713 registered the complaint of the petitioner and remarks were made that transmission of 33000 volt high tension wire is in progress from road. It also stated by the petitioner that the then Executive Engineer, Electricity Supply Division, Godda (respondent No.2), vide letter No.870 dated

31.07.2019 had assured that prior to laying of the said high tension wire, all safety procedure will be taken. Petitioner had also made a complaint to the Jharkhand State Human Rights Commission, Ranchi which was registered as Jharkhand Human Rights Commission, Ranchi Case No.285 of 2019 wherein an enquiry was conducted and in the enquiry, the Electrical Inspector had submitted a report saying that since there is 10 ft. road, it is not possible to fix 33000 volt high tension wire there.

4. Learned counsel for the petitioner contends that laying 33000 high tension wire aproximately at a distance of 3 feet from the house of the petitioner is a serious matter of concern. He submits that if the high tension wire is not removed, the same would adversely affect the safety of life of the petitioner and her family members. He submits that the said high tension wire can be layed underground.

5. Learned counsel for the respondents submits that an enquiry committee was constituted vide Memo No.1257 dated 08.08.2022 of General Manager-cum-Chief Engineer, Electric Supply Area, Giridih and on 09.08.2022, the enquiry committee had submitted a report suggesting steps to be taken. It is contended by the respondents that steps suggested by the enquiry team have already been taken and now the laying of 33000 volt high tension wire is not in contravention of standars and norms of the Electricity Act. Learned counsel submits that there is no objection by any other person residing nearby protesting such laying of 33000 volt high tension wire. It is also contended by the respondents that all safety measures have already been taken for fixing transmission of power of 33000 volt high tension wire.

6. After hearing the parties, I have gone through the records of the case. It is not the case of the petitioner that the high tension wire is crossing through or over the land or dwelling house of the petitioner. The respondents have contended that they have taken steps suggested by the enquiry team and laying of 33000 is not in contravention of standards and norms of the Electricity Act.

7. Section 10 of the Indian Telegraph Act, 1885 empowers the telegraph authority to place and maintain a telegraph line under, over, along or across and posts in or upon any immovable property. Section 164 of the Indian Electricity Act extends the said power conferred upon

the licencees. Thus, in this case provisions of the Indian Telegraph Act, 1885 has to be followed.

8. So far as the prayer of the petitioner for directing the respondents to fix the 33000 volt high tension wire through the process of underground cables is concerned, as the same involves assessment of technical aspects and feasibility etc., this Court is not inclined to entertain such prayer while exercising jurisdiction under Article 226 of the Constitution of India.

9. In view of the facts of the case and the observations as recorded hereinbefore, I find no merit in this writ petition so as to entertain the reliefs as sought for by the petitioner. This writ petition is, accordingly, dismissed. Pending interlocutory application, if any, stands disposed of.

(Ananda Sen, J.)

Ranchi
Dated 15th September, 2026
Kumar/Cp-02

Uploaded on 18.09.2026