



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 30-03-2026**

CORAM

**THE HON'BLE MR JUSTICE KRISHNAN RAMASAMY**

**WP No. 32448 of 2023**

**and**

**WMP.No.32142 of 2023**

1. J.Kannan  
S/o Jaganathan Flat No Ag-1, Gemini Homes  
No 49, Kabaleeswarar Cross Street,  
Ganapathipuram, Chromepet, Chennai 600 044.
2. A.T. Ramesh  
S/o A.M. Thirumalai Flat No Bs-1, No 49,  
Kabaleeswarar Cross Street, Ganapathipuram,  
Chromepet, Chennai 600 044.
3. S. Balamurali  
S/o P. Subramanian Flat No Cs-2 No 49,  
Kabaleeswarar Cross Street, Ganapathipuram,  
Chromepet, Chennai 600 044
4. P. Mani  
S/o M. Palani, Flat No Df-1 No 49,  
Kabaleeswarar Cross Street, Ganapathipuram,  
Chromepet, Chennai 600 044.
5. T.Ekambaran  
S/o V. Thirunavukkarasu Flat No Es-1no 49,  
Kabaleeswarar Cross Street, Ganapathipuram,  
Chromepet, Chennai 600 044.

..Petitioners

Vs

1. The Chairman,  
Tamil Nadu Electricity Board (TNEB),  
144, Anna Salai, Chennai 600 002.
2. The Assistant Executive Engineer,  
Operations And Maintenance (O & M)



TANGEDCO, Kadapperi, Near MEPZ,  
Kadaperi, Chennai 600 045.

3. The Assistant Engineer,  
Operations and Maintenance (O and M),  
TANGEDCO, No 133, 2nd Cross,  
Santhi Nagar Main Road,  
Radha Nagar, Chromepet,  
Chennai 600 044.
4. The Revenue Divisional Officer,  
Taluk Office Complex,  
Opp MEPZ, G.S.T Road,  
Kadaperi, West Tambaram,  
Chennai 600 045.
5. The Tahsildar,  
Pallavaram Taluk,  
Kanni Koil Street,  
Aishwarya Nagar Phase II,  
Kurinji Nagar, Chromepet,  
Chennai 600 044.
6. Sheena Tabitha  
D/o David Manohar 6/a, Odai Street, Radha  
Nagar Chromepet,  
Chennai 600 044.

..Respondents

Writ Petition filed under Article 226 of Constitution of India seeking for a issuance of Writ of Mandamus Forbearing the Respondents 1 to 3 from removing the Electricity Pole / Box situated between the southern side of the Petitioners' property, namely 'Gemini Homes', No 49, Kabaleeswarar Cross Street, Ganapathipuram, Chromepet, Chennai - 600 044 and the existing 16 Feet Road.



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For Petitioner:

Mr.J.Lakshminarayanan

For Respondents:

Mrs.Anitha (R4 and R5)  
Special Government Pleader  
Ms.Sindhuja M.S.  
for Ms.N.S.Tanvi (R6)

### **ORDER**

This Writ Petition has been filed seeking to forbear the respondents 1 to 3 from removing the Electricity Pole / Box situated between the southern side of the Petitioners' property, namely 'Gemini Homes', No 49, Kabaleeswarar Cross Street, Ganapathipuram, Chromepet, Chennai - 600 044 and the existing 16 Feed Road.

2. The learned counsel appearing for the petitioners would submit that they are the owners of the Gemini Homes consisting of five blocks and they are residing in the aforesaid address and they are possessing the valid title documents. Further he would submit that right from the date of purchase there exists 16 feet road on the southern side of their property and they are enjoying the same from 2010, without any hindrance from the 3<sup>rd</sup> parties. While so, based on the complaint given by the 6<sup>th</sup> respondent, the respondents 1 to 3 are trying to remove the electric pole situated in the southern side of the property. In this regard, the petitioners submitted a representation to the 1<sup>st</sup> respondent dated 27.10.2023 not to remove the electric pole/box, but the concerned



Authorities are not heeding the request of the petitioners. Hence this petition.

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3. The learned counsel appearing for the 6<sup>th</sup> respondent would submit that the electric pole has been erected in the land belonging to the 6<sup>th</sup> respondent and in this regard, the 6<sup>th</sup> respondent made a representation on 21.09.2023 to the respondents requesting to shift the electric pole erected in her place. Pursuant to which, steps were taken to measure the subject property by the 5<sup>th</sup> respondent based on the communication of the 1<sup>st</sup> respondent dated 27.09.2023 and the 5<sup>th</sup> respondent also submitted a report, based on which, notice was issued to the parties inspection has been conducted. Further, she would submit that the respondents 1 to 3 have not taken any steps till date for removal of the electric pole.

4. The learned Special Government Pleader appearing for the respondents 4 and 5 would submit that based on the communication received from the 1<sup>st</sup> respondent-TANGEDCO, the 5<sup>th</sup> respondent inspected the subject property and submitted a report alleging encroachment by the petitioners' building and based on which enquiry was conducted.

5. Counter affidavit filed by the 3<sup>rd</sup> respondent also confirms the aforesaid position. It is also stated in the counter affidavit that the 5<sup>th</sup> respondent has made an observation that an encroachment by the petitioner building has been



deducted in the land of the 6<sup>th</sup> respondent. Pursuant to the said report, inspection was done in the subject premises. Further, it is stated that since the 6<sup>th</sup> respondent has not made any formal application for shifting the alleged electric pole and therefore no actions has been taken for the same.

6. Heard both sides. Perused the records.

7. Considering the submissions made by the learned Special Government Pleader as well as the learned counsel for the 6<sup>th</sup> respondent and on a perusal of the counter affidavit filed by the 3<sup>rd</sup> respondent as well as the report of the 5<sup>th</sup> respondent, it is clear that there is encroachment by the petitioners in the property of the 6<sup>th</sup> respondent. When such being the case, the 6<sup>th</sup> respondent is entitled for the removal of the electric pole situated in her land. Therefore, this Court is not inclined to issue the direction to the respondents 1 to 3 not to remove the Electricity Pole / Box situated between the southern side of the Petitioners' property.



In such view of the matter, this Writ Petition is devoid of merits and the same is liable to be dismissed and accordingly dismissed. No costs.

Consequently, connected Miscellaneous Petition is closed.

**30-03-2026**

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

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**To**

1. The Chairman  
Tamil Nadu Electricity Board ( Tneb) 144, Anna Salai, Chennai 600 002
2. The Assistant Executive Engineer  
Operations And Maintenance (o And M) Tangedco, Kadapperi, Near Mepz,  
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Chennai 600 045
5. The Tahsildar  
Pallavaram Taluk Kanni Koil Street Aishwarya Nagar Phase Ii, Kurinji  
Nagar, Chromepet Chennai 600 044



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**KRISHNAN RAMASAMY, J.**

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