



W.P.(MD)No.23734 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 02.06.2026

CORAM

THE HONOURABLE MR.JUSTICE **HEMANT CHANDANGOUDAR**

W.P.(MD)No.23734 of 2024
WMP(MD)Nos. 20100 of 2024 and 25749 of 2025

C.Selvi

.. Petitioner

- Vs. -

1. The Assistant Engineer,
Distribution,
TANGEDCO,
V.K.Pudur,
Tenkasi District.

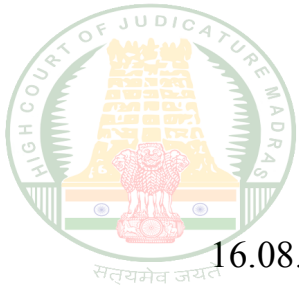
2. Radha

3. The Village President,
Kella Veernam Village,
Veerakeralam Pudur Taluk,
Tenkasi District.

... Respondents

(R3 is Impleaded vide Court Order dated 21.10.2024 in WMP(MD). 21363/2024 in WP(MD). 23734/ 2024 by NSKJ)

Prayer : Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus to call for records pertaining to the order of 1st respondent proceedings in Ka.No. E.Ni.Po./Vi/Vee.K.Pudur/Ko.Pudur Manu/A.No. 188/2024 dated



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16.08.2024 directing the 1st respondent to deposit the tentative expenses once arrived within a period of 15 days for converting the electric line into cable and quash the same and consequently to shift the overhead electric line drawn across petitioners patta land bearing SF No. 738/20 situate at Keelaveeranam, VK Pudur Taluk, Tenkasi District.

For Petitioner : Mr.S.A.Ajmal Khan
for M/s.KBS Law Office

For Respondents : Ms.M.Viji,
for Mr.S.Deenadhayalan,
Standing Counsel for R1

: Mr.P.Ramaraj for R2

: No appearance for R3

ORDER

The petitioner claims to be the owner of the patta land comprised in Survey Field No.738/20 situated at Keelaveeranam Village, V.K. Pudur Taluk, Tenkasi District. According to the petitioner, the first respondent, without acquiring any right or authority in accordance with law, erected an electric pole in the said property and drew overhead transmission lines across the land for the purpose of providing electricity service connections to neighbouring properties.



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2. Aggrieved by the same, the petitioner submitted a representation to the first respondent seeking shifting of the electric pole and the transmission lines from his property. However, by communication dated 16.08.2024, the first respondent called upon the petitioner to remit the tentative charges not only for shifting the electric pole but also for conversion of the existing overhead electric wires into underground cables.

3. The grievance of the petitioner is that while he is prepared to bear the charges legitimately required for shifting the electric pole and the associated transmission lines, he cannot be compelled to bear the additional expenditure towards conversion of the existing overhead lines into underground cables, particularly when the pole and the lines had originally been erected in his property without authority of law.

4. Heard the learned counsel appearing on either side and perused the materials available on record.



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5. It is not in dispute that the electric pole and the transmission lines have been laid through the petitioner's patta land. In such circumstances, the petitioner can be required to bear only those expenses that are directly attributable to the shifting of the electric pole and the existing transmission lines. The petitioner cannot be saddled with the additional cost of converting the overhead electric wires into underground cables, as such a requirement is neither incidental nor necessary for effecting the shifting sought by the petitioner.

6. Therefore, the demand made by the first respondent insofar as it requires the petitioner to bear the expenses for conversion of the existing electric wires into underground cables is unsustainable in law.

Accordingly, the writ petition is allowed and the impugned communication dated 16.08.2024 issued by the first respondent is set aside.

7. The first respondent is directed to communicate to the petitioner, within a period of one (1) week from the date of receipt of a copy of this



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order, the actual charges required for shifting the electric pole and the existing transmission lines. Upon such communication, the petitioner shall remit the said charges. Thereafter, the first respondent shall complete the work of shifting the electric pole and the transmission lines within a period of two (2) weeks from the date of payment.

8. It is made clear that the first respondent shall not insist upon the petitioner bearing any expenditure towards conversion of the existing overhead electric wires into underground cables.

9. There shall be no order as to costs. Consequently, the connected miscellaneous petitions are closed.

Index :Yes / No
NCC :Yes / No
PJJ

02.06.2026

To

1. The Assistant Engineer,
Distribution, TANGEDCO, V.K.Pudur, Tenkasi District.
2. The Village President,
Kella Veernam Village, Veerakeralam Pudur Taluk,
Tenkasi District.

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HEMANT CHANDANGOUDAR, J.

PJL

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