



WP(MD). No.31904 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Dated : **20.02.2026**

CORAM

THE HONOURABLE MR. JUSTICE **R.VIJAYAKUMAR**

WP(MD). No.31904 of 2025

Gandhi

... Petitioner

Vs

1. The Superintending Engineer,
Tamil Nadu Power Distribution
Corporation Limited,
Ramanathapuram District..
2. The Executive Engineer,
Tamil Nadu Power Distribution
Corporation Limited,
Ramanathapuram District..
3. The Assistant Executive Engineer,
Tamil Nadu Power Distribution
Corporation Limited,
Ramanathapuram District..
4. The National Highways Authority of India,
Madurai.

(R4 is Suo Motu Impleaded Vide Court Order
Dated 10.11.2025 in WP(MD)no.31904 of 2025)



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5. The Tahsildar,,
Paramakudi Taluk, Paramakudi,
Ramanathapuram District.

(R5 is Suo Motu Impleaded Vide Court Order
Dated 30.01.2026 in WP(MD)no.31904/2025)

... Respondents

PRAYER :-

Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of MANDUMUS directing the respondents to consider the petitioner's representation dated 09/10/2025 and remove the high tower electric pole in the subject property in Survey No. 126 / 6B in Bogalur Village, Paramakudi Taluk, Ramanathapuram District within a time frame that may be stipulated by this Court.

For Petitioner : Mr.J. Barathan,

For Respondents : Mr.S.Deenadhayalan,
Standing Counsel for R1 to R3,
Mr.P.Karthik for R4
Mrs.D.Farjana Ghoushia,
Spl. Govt. Pleader for R5

ORDER

The present Writ Petition has been filed seeking a Mandamus directing the respondents to remove the high tower electric pole in the subject property in Survey No. 126 / 6B in Bogalur Village, Paramakudi



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Taluk, Ramanathapuram District, within the time stipulated by this Court.

2. The 4th respondent has filed a counter affidavit. Paragraph Nos.6, 7, 9 and 10 are extracted as follows:

“6. It is respectfully submitted that a joint land survey was conducted on 08.12.2025 in the presence of the Village Administrative Officer, Bogalur; the Surveyor, Paramakudi; and representatives of NHAL. Based on the said survey and field verification, it was found that the mini tower (Lattice Electric tower) has been erected in the petitioner's private patta land in Survey No. 126/6B, Bogalur Village, Paramakudi Taluk, Ramanathapuram District.

7. It is submitted that the erection of the said mini tower in the petitioner's private land was inadvertent and not intentional or willful. The same occurred during the process of utility shifting undertaken through the TANGEDCO-licensed contractor under the supervision of TANGEDCO officials and NHAI appointed Authority's Engineer, M/s Theme Engineering Services Pvt. LTD.

8.



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9. *Immediately upon confirmation through the joint survey that the mini tower stands within the petitioner's private land, the respondent directed the project appointed Concessionaire, M/s. DBL Paramakudi Ramanathapuram Highways Limited to take-up the utility shifting works of 4-lane project and shift the Mini tower within NHAI Right of Way (RoW).*

10. *It is therefore submitted that there was no deliberate encroachment or unlawful act on the part of this respondent. The issue, being inadvertent in nature, is being addressed by initiating necessary shifting of the Mini tower through the Concessionaire and shifting will be completed within 6 months."*

3. In view of the counter filed by the 4th respondent, it is clear that after conducting survey it has been found that electric tower has been inadvertently erected in the private property of the Writ Petitioner and now they seek six months time for shifting the same.

4. In view of the above said facts, 4th respondent is directed to shift the high tower electric pole from the private property of the Writ Petitioner on or before 31.08.2026.



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5. with the above said observations, this Writ Petition stands
allowed. There shall be no order as to costs.

20.02.2026

Index : Yes/No

NCC : Yes/No

VSM

TO

1. The National Highways Authority of India,
Madurai.

2. The Tahsildar,,
Paramakudi Taluk, Paramakudi,
Ramanathapuram District.



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R.VIJAYAKUMAR, J.

VSM

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