

WEB COPY

WP No. 38778 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-11-2025

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THE HONOURABLE MR JUSTICE M.DHANDAPANI

WP No. 38778 of 2024

S.Nandhini

W/o.Subramani, P. Muthuampatti
Village, Vengalapuram , Madhura,
Tirupatur Taluk, Tirupatur Taluk,
Tirupatur District.

Petitioner(s)

Vs

1. Chief Engineer

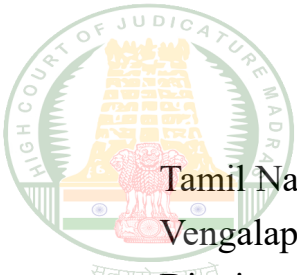
TLC Construction Electricity Board,
Tamil Nadu Electricity Board,
144, Anna Salai, Chennai-002.

2.Superintendent Engineer

TLC Construction Electricity Board,
Salem Bypass , Post, Kamarajar
Nagar Colony, Ammapet, Salem
District- 636 014.

3.Executive Engineer

TLC Construction Electricity Board,



Tamil Nadu Electricity Board,
Vengalapuram Village Post, Tirupatur
District- 635 653.

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4. Superintendent Engineer
Tirupatur, Balammal Colony,
Thirupathur, Tamil Nadu Electricity
Board, Tirupatur District- 635 601.

Respondent(s)

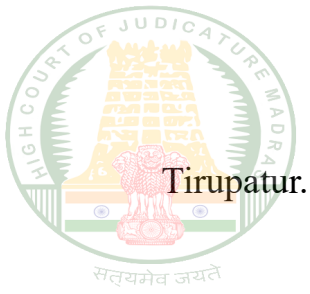
PRAYER: Writ petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the respondents to remove the transmission that is erected in the center of the petitioner's house site No.3 and to direct them to erect the same transmission in the outskirts of the village if necessary in a way, there is no hindrance or inconvenience to the villagers in Tirupatur.

Petitioner Mr. Avinash Wadhwani

For Respondent(s): Mr. D.R. Arunkumar
 Standing Counsel

ORDER

This writ petition has been filed, directing the respondents to remove the transmission that is erected in the center of the petitioner's house site No.3 and to direct them to erect the same transmission in the outskirts of the village if necessary in a way there is no hindrance or inconvenience to the villagers in



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2.The case of the petitioner is that he is the owner of the land in Survey No.245/04 in Vengalapuram Village, Tirupatur Taluk and Village. The petitioner has been in possession and enjoyment of the above mentioned property from 11.12.2020 onwards. Whiles, the Executive Engineer, TLC Electricity Department, Vengalapuram, Tirupathur Taluk attempted to erect an electric transformer in the middle of the petitioner's housing site. Before erecting a tower, a prior notification should have been issued to the petitioner regarding the erection of a transformer in the middle of the property. However, without obtaining any permission from the petitioner or providing any compensation, the respondent abruptly erected the tower in the middle of the petitioner's residential property. Therefore, for shifting the transformer or for payment of compensation, the present writ petition has been filed.

3.The learned counsel for the petitioner would submit that although the respondent is entitled to erect a tower under the Indian Telegraphic Act, prior



notice must be given to the petitioner before erecting a tower in the middle of the petitioner's property and for assessing the compensation. However, the procedure mandated under the Indian Telegraphic Act has not been followed in this case. Hence, he prayed for appropriate orders.

4.Per contra, though the respondents attempted to issue a compensation form to the petitioner, the petitioner did not submit the completed compensation form to the respondents. Hence, the respondents have not paid any compensation to the petitioner. Furthermore, the old transmission tower was erected before 1990, and the subsequent tower was erected in 2017. However, the present writ petition is filed in 2024 which is not sustainable. If the petitioner files an application before the 3rd respondent claiming compensation, the compensation will be provided to the petitioner within a reasonable time as fixed by this Court.

5.In view of the above, the petitioner is directed to submit an appropriate application seeking compensation before the 3rd respondent/Executive Engineer within a period of two weeks from the date of receipt of a copy of this order.



Upon receipt of such application, the 3rd respondent is directed to consider the same and disburse the eligible compensation to the petitioner within a period of

six (6) weeks thereafter, in accordance with law.

6. With the above directions, this writ petition stands disposed of.No costs.

25-11-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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To

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TLC Construction Electricity Board,
Tamil Nadu Electricity Board,
144, Anna Salai, Chennai-002.

2.Superintendent Engineer

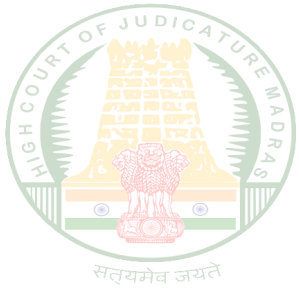
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M.DHANDAPANI J.

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