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Case Update



Allahabad High Court Dismisses Writ Petition Challenging Erection of 765 KV Transmission Line by Property Owner.

DATED: 18/03/2025



The Allahabad High Court, in its order dated March 17, 2025, dismissed the Writ Petition filed by Mr. Lavlesh Kumar Shukla against the State of Uttar Pradesh and other respondents, including the South East Uttar Pradesh Power Transmission Company Limited ("SEUPPTCL"). The petitioner challenged the District Magistrate, Kaushambi's order dated January 27/28, 2025 ("Impugned Order"), which upheld the construction of a 765 KV transmission line over his property. The petitioner sought quashing of this order and removal of the transmission infrastructure from his residential property.

The case revolved around a notification issued by the Uttar Pradesh State Government on September 2, 2013 ("Notification dated 02.09.2013"), regarding the transmission of electricity lines through multiple villages and towns. The petitioner, a resident of Village Tewa, raised objections to the erection of the transmission line over his property, arguing that his village was not included in the original notification issued under Section 164 of the Electricity Act, 2003. The petitioner claimed that the alteration of the transmission line's alignment caused undue hardship and affected the usability of his land.

The litigation has a history, with the Allahabad High Court previously remanding the matter to the District Magistrate for reconsideration. The District Magistrate subsequently reaffirmed that the transmission line was being constructed in accordance with the 2013 notification and other regulatory approvals.

The Allahabad High Court, while appreciating the reading of the Section 164 Notification observed that 'the clause clearly indicates that the transmission line covered under the scheme will pass through, over, around and between the villages, towns and cities. It is to be noted that the particular village of the petitioner falls between the villages that are covered under the said notification'. The Hon'ble Court further noted that the transmission line's construction had been completed in 2015, while the petitioner purchased his property in 2021. Given this timeline and the above observations, the Hon'ble Court concluded that the Petitioner was aware of the existing transmission line and still chose to purchase the land. The Hon'ble Court emphasized that

the transmission line was part of a critical infrastructure project for electricity distribution.

Considering the above factors, the Hon'ble Court dismissed the writ petition, stating that the District Magistrate's order was well-reasoned and supported by law.

Click [here](#) to read the Allahabad High Court's Order

South Eastern Uttar Pradesh Power Transmission Company Limited was represented before the Allahabad High Court by Mr. Amit Saxena, Senior Advocate, Mr. Shri Venkatesh (Founding Partner), Mr. Anant Singh Ubeja (Senior Associate), Mr. Abhishek Nangia (Senior Associate), and Mr. Kunal Veer Chopra (Associate) of the SKV Law Offices Team.