

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.06.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.16732 of 2015

1.S.V.Raju

2.V.Siva Prakasam

... Petitioners

Vs.

1 The District Collector
Tirupur District Tirupur

2 The Superintending Engineer
(GCC) Tower Wire Construction Tatabad
Coimbatore 641 012

3 The Executive Engineer
TANGEDCO Pollachi

4 The Assistant Executive
Engineer Tower Wire Construction 230 KV
Sub Station Campus Periyakottai Pirivu S.V.
Mills Post Udumalaipettai 642 128 Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent herein to consider the representation of the petitioners dt 13.4.2015 in accordance with law before constructing Towers in the petitioners patta land in S.No.452/1A, 453/1, 454, 455/1A and 455/3A2 at Moongil Tholovu Village, Udumalaipet Taluk, Tirupur District.

For Petitioners : Mr.M.Sivavarthan

For Respondents : Mr.R.Vijayakumar for R1
Additional Government Pleader
Mr.S.K.Raameshuwar for R2 to R4

O R D E R

By consent the writ petition is taken up for final disposal.

2.Petitioners are the owners of the land admeasuring 4.94 Hectares in S.No.452/1A, 453/1, 454, 455/1A and 455/3A2 at Moongil Tholovu Village, Udumalaipet Taluk, Tirupur District and

according to them, the Tamil Nadu Generation and Distribution Corporation Limited intend to put up 400 KV DC line with Twin Moose ALSR across the petitioners land and for which the petitioner has submitted his objection in the form of representation dated 13.04.2015 and since no response is forthcoming, the petitioners came forward to file this writ petition and in the interregnum the respondents are taking urgent steps to erect the pole.

3.This Court heard the submissions of Mr.M.Sivavarthanan, learned counsel appearing for the petitioner, Mr.R.Vijayakumar, learned Additional Government Pleader who accepts notice on behalf of the first respondent and Mr.S.K.Raameshuwar, learned Standing Counsel who accepts notice on behalf of the respondents 2 to 4.

4.This Court taking into consideration the limited scope of the prayer sought for by the petitioners, directs the first respondent to consider and dispose of the representation of the petitioners dated 13.04.2015 in accordance with law after putting on notice the persons concerned and after given an opportunity of personal hearing, pass orders within a period of four weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

5.The writ petition is disposed of accordingly. No costs.

Sd/-
Asst.Registrar (CS II)

/true copy/

Sub Asst. Registrar

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To

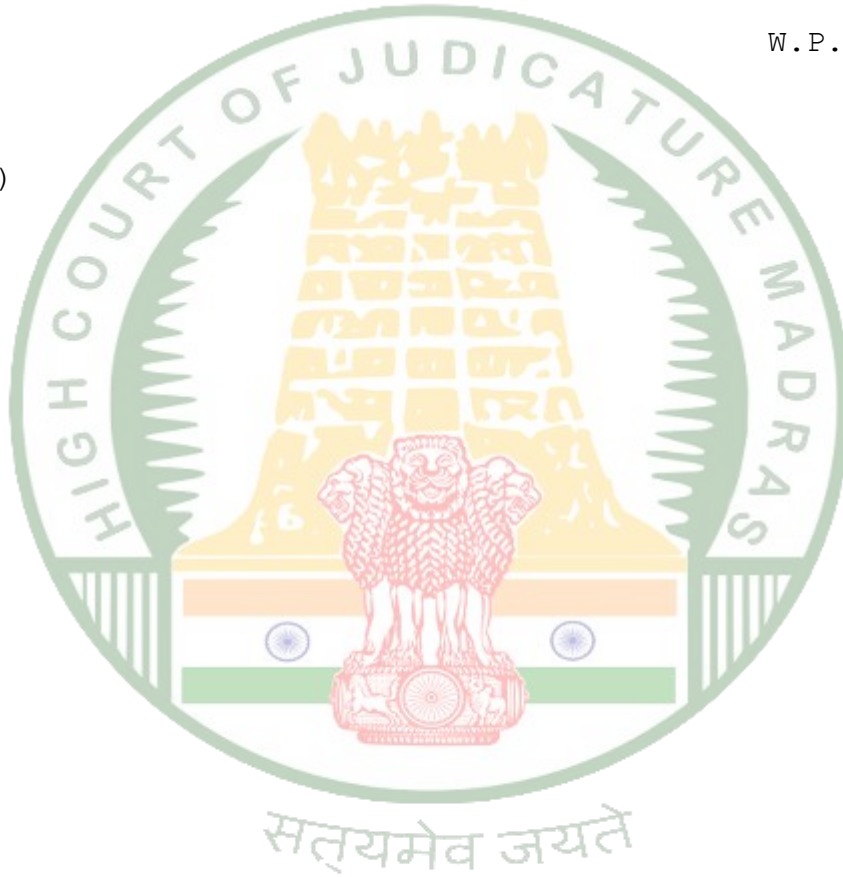
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1 cc to Government Pleader, Sr. 29001
1 cc to Mr.S.K.Raameshuwar, advocate, Sr. 29059

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KSJ (CO)
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