

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.12.2015

CORAM

THE HONOURABLE MR. JUSTICE T.S.SIVAGNANAM

W.P. Nos.39191 & 39192 of 2015

M.Gnanaprakasam .. Petitioner in W.P.No.39191 of 2015

R.Maheshkumar ... Petitioner in W.P.No.39192 of 2015

Vs

- 1 The District Collector
Coimbatore District, Coimbatore.
 - 2 The Superintending Engineer (GCC)
Tower Wire Construction TANGEDCO
182 Tatabad, Coimbatore-641 012.
 - 3 The Executive Engineer
Tower Wire Construction TANGEDCO
Sirumugai Road, Mettupalayam.
 - 4 The Assistant Executive
Engineer Tower Wire Construction TANGEDCO
Sirumugai Road, Mettupalayam.
- ... Respondents in both W.Ps.

PRAYER in W.P.No.39191 of 2015: Petition filed Under Article 226 of the Constitution of India praying to issue Writ of mandamus to Directing the respondents herein to consider the representation of the petitioner dated 27.11.2015 in accordance with law before constructing Towers in the petitioner patta land in S.No.177 at Kuppanur Village, Annur Taluk, Coimbatore District.

PRAYER in W.P.No.39192 of 2015: Petition filed Under Article 226 of the Constitution of India praying to issue Writ of mandamus to Directing the respondents herein to consider the representation of the petitioner dated 27.11.2015 in accordance with law before constructing Towers in the petitioner's patta land in S.No.163, S.No.168 at at Kuppanur Village, Annur Taluk, Coimbatore District.

For Petitioners : Mr.M.Sivavarathanan
For Respondents : Mr.R.Vijayakumar - R1
Addl.Govt. Pleader
Mr.S.K.Rameshuwar - R2 to R4

C O M M O N O R D E R

With the consent of the learned counsel appearing on either side, the Writ Petitions are taken up for final disposal.

2.Heard Mr.M.Sivavarathanan, learned Counsel appearing for the petitioners, Mr. R.Vijayakumar, learned Additional Government Pleader appearing for the first respondent and Mr.S.K.Rameshuwar, learned counsel appearing for the respondents 2 to 4.

3.In these Writ Petitions, the petitioners seek for a direction upon the first respondent to consider their representations dated 27.11.2015, wherein they have raised an objection for erection of a High Tension Transmission Tower in their patta lands, comprised in S.No.177 and S.No.163, S.No.168 respectively at Kuppanur Village, Annur Taluk, Coimbatore District.

4.In terms of the Telegraphs Act, if such objection is raised by any land owner with regard to the erection of tower, then the appropriate authority is the District Collector/District Magistrate, who shall consider such petition. Since the petitioners have already given representations, the first respondent is directed to consider the said representations as objections, issue notice to the respondent Board as well as the petitioners and after hearing the parties, pass a reasoned order on merits and in accordance with law, within a period of three weeks from the date of receipt of a copy of this order.

The Writ Petitions are disposed of accordingly. No costs.

Sd/
ASSISTANT REGISTRAR (CS-II)

/TRUE COPY/

SUB-ASSISTANT REGISTRAR

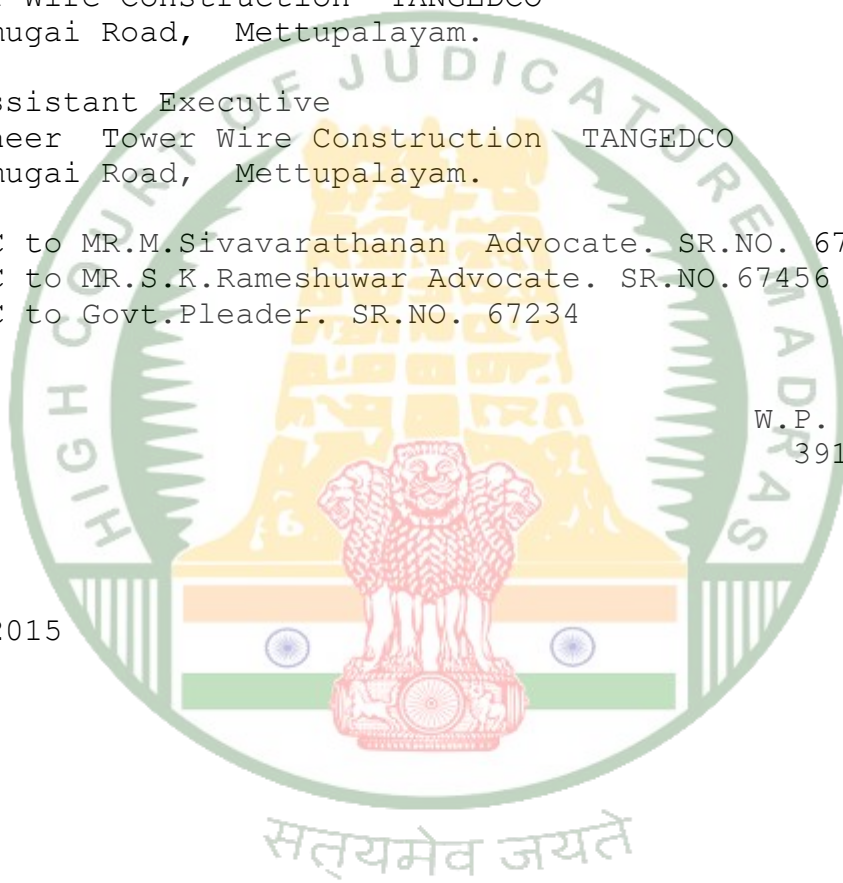
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To

- 1 The District Collector
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Sirumugai Road, Mettupalayam.
 - 4 The Assistant Executive
Engineer Tower Wire Construction TANGEDCO
Sirumugai Road, Mettupalayam.
- +2 CC to MR.M.Sivavarathanan Advocate. SR.NO. 67304
+1 CC to MR.S.K.Rameshuwar Advocate. SR.NO.67456
+1 CC to Govt.Pleader. SR.NO. 67234

W.P. No.39191 &
39192 of 2015

CO-SCD
JD 18/12/2015



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