



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.08.2015

C O R A M

THE HONOURABLE Mr.JUSTICE R.SUBBIAH

Writ Petition (MD) No.13643 of 2015

L.NAGAMMAL @ SAROJA

.. Petitioner

Vs.

1. THE DISTRICT COLLECTOR,
DINDIGUL DISTRICT, DINDIGUL.
2. THE EXECUTIVE ENGINEER,
TAMIL NADU GENERATION OF ELECTRICITY AND
DISTRIBUTION CORPORATION, S.S. COMPLEX,
NEAR TO ORIENTAL SCHOOL, ANNA NAGAR,
DINDIGUL.
3. THE ASSISTANT ENGINEER,
TAMIL NADU GENERATION OF ELECTRICITY AND
DISTRIBUTION CORPORATION, BATLAGUNDU,
DINDIGUL DISTRICT.

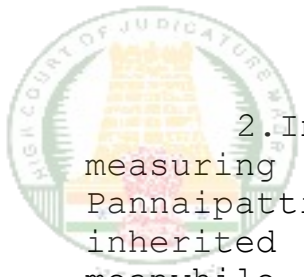
.. Respondents

Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus directing the respondents to consider the representation of the petitioner, dated 22.07.2015 and consequently direct the respondents to pay compensation to the petitioner for causing damages by drawing high tension overhead electric line across the petitioner's agricultural land bearing survey No.88/2 in Pannaipatti Village, Nilakkottai Taluk, Dindigul District.

For petitioner	...Mr.R.Pandi Maharaja
For R1	...Mr.S.Kumar
	Additional Government Pleader
For R2 and R3	...Mr.S.M.S.Johnny Basha

O R D E R

The writ petition has been filed praying this Court for issuance of a Writ of Mandamus directing the respondents to consider the representation of the petitioner, dated 22.07.2015 and consequently direct the respondents to pay compensation to the petitioner for causing damages by drawing high tension overhead electric line across the petitioner's agricultural land bearing survey No.88/2 in Pannaipatti Village, Nilakkottai Taluk, Dindigul District.



2. In the affidavit, it has been stated that the property measuring to an extent of two acres in Survey No.88/2, at Pannaipatti Village, Nilakkottai Taluk, Dindigul District was inherited by the petitioner as ancestral property. In the meanwhile, the second and third respondents trespassed into the petitioner's property and erected the High Tension tower without any prior notice to the petitioner. Now, since the High Tension tower was erected on the petitioner's land, the petitioner's land will be affected by the generation of magnetic field and radiation which would be generated by the high tension line. Hence, the petitioner has made a representation dated 29.12.2014 to the second and third respondents for payment of compensation. The second and third respondents have not taken any action. Hence, on 07.01.2015, the petitioner approached the first respondent and gave a representation and the said representation was also not considered. Again, on 22.07.2015, the petitioner had given another representation to all the respondents to pay compensation to the petitioner. Even the said representation was also not considered. Hence, the petitioner has come forward with this writ petition.

3. Heard the learned counsel for the petitioner; the learned Additional Government Pleader appearing for the respondent No.1 and the learned counsel appearing for the respondents 2 and 3.

4. After considering the rival submissions, this Court is constrained to pass the following order:-

"The petitioner is directed to give a copy of the representation dated 22.07.2015 along with the copy of this order, within a period of one week from the date of receipt of a copy of this order, to the first respondent and on receipt of the same, the first respondent is directed to pass an appropriate order on merits and in accordance with law, within six weeks thereafter."

5. Accordingly, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (T&P)

/TRUE COPY/

Sub Assistant Registrar

To

1. THE DISTRICT COLLECTOR,
DINDIGUL DISTRICT, DINDIGUL.
2. THE EXECUTIVE ENGINEER,
TAMIL NADU GENERATION OF ELECTRICITY AND
DISTRIBUTION CORPORATION, S.S. COMPLEX,
NEAR TO ORIENTAL SCHOOL, ANNA NAGAR,
DINDIGUL.



3. THE ASSISTANT ENGINEER,
TAMIL NADU GENERATION OF ELECTRICITY AND
DISTRIBUTION CORPORATION, BATLAGUNDU,
DINDIGUL DISTRICT.1. THE DISTRICT COLLECTOR,
DINDIGUL DISTRICT, DINDIGUL.

2. THE EXECUTIVE ENGINEER,
TAMIL NADU GENERATION OF ELECTRICITY AND
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3. THE ASSISTANT ENGINEER,
TAMIL NADU GENERATION OF ELECTRICITY AND
DISTRIBUTION CORPORATION, BATLAGUNDU,
DINDIGUL DISTRICT.

+1 CC TO M/S.PERFECT LAW ASSOCIATES, ADVOCATE, SR NO:44853
+1 CC TO SPL.GOV.T.PLEADER, SR NO:44579

rj2
JAM/20.8.15/3P-6C

W.P. (MD)No.13643 of 2015
05.08.2015