

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.01.2016

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.2213 of 2016
& WMP.No.1905 of 2016

Rosu Reddy

.. Petitioner

Vs.

1. The Superintendent Engineer
General Construction Circle,
TANGEDCO, TATABAD,
Coimbatore.
- 2.The Executive Engineer (Works)
HEAD QUARTERS,
TANTRANSCO, Coimbatore.
- 3.The Junior Engineer,
General Construction Circle,
TANGEDCO, TATABAD,
Coimbatore.
- 4.The District Collector,
Coimbatore District,
Coimbatore.
(R4 impleaded suo moto as party respondent)

.. Respondents

Prayer : Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus directing the first respondent to consider the petitioner's representations dated 23.12.2015 & 30.12.2015 and erect the pole No.7 at site 'B' shown in the annexed sketch.

For Petitioner

.. Mr.S.Ranjith Kumar

For Respondents 1 to 3

.. Mr.R.Vijayakumar, AGP

For Respondent - 4

.. Mr.S.K.Ramashwar

ORDER

The District Collector, Coimbatore District, Coimbatore, has been suo moto impleaded as fourth respondent in this writ petition. Registry is directed to carry out the amendment in the cause title.

2. Heard the learned counsel for the petitioner and Mr.R.Vijayakumar learned Additional Government Pleader accepting notice on behalf of the respondents 1 to 3 and with their consent, the writ petition is taken up for final disposal at the admission stage itself.

3. Petitioner has filed this writ petition for issuance of the writ of Mandamus to consider his representations dated 23.12.2015 and 30.12.2015 and to erect the electricity transmission tower at side 'B' as shown in the sketch annexed to the petitioner's representation. From the averments made in the affidavit filed in support of the writ petition it is seen that the petitioner is objecting for laying of the tower as proposed by the respondent. If that be the case then, the respondent Board has to move the District Collector for removal of the obstructions and the District Collector is to hear the parties and take a decision in the matter and with reference to the feasibility of the suggestions made by the petitioner. The petitioner has come forward with this suggestions so that his right on his land will not get affected and that apart, he would state that if high tension wires are drawn in a suggested line it would result in lesser expenses, instead of drawing the line in the petitioner's land. Hence, there will be a direction to the first respondent, to file a petition before the fourth respondent, seeking permission to proceed with the matter and the fourth respondent, on receipt of the said petition shall issue notice to the petitioner as well as TANGEDCO, hear the parties and conduct an enquiry and take a decision in the matter. The first respondent is directed to move the District Collector, within a period of two weeks, from the date of receipt of a copy of this order and thereafter, the District Collector shall conduct an enquiry as per the above direction and pass orders, within a period of three weeks thereafter.

4. Accordingly, the Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

smi

To

1. The Superintendent Engineer
General Construction Circle,
TANGEDCO, TATABAD,
Coimbatore.
- 2.The Executive Engineer (Works)
HEAD QUARTERS,
TANTRANSO,
Coimbatore.
- 3.The Junior Engineer,
General Construction Circle,
TANGEDCO, TATABAD,
Coimbatore.
- 4.The District Collector,
Coimbatore District,
Coimbatore.

+1 cc to Mr.S.K.Raameshuwar, Advocate, sr.3983

+1 cc to Mr.S.Ranjithkumar, Advocate, sr.837 (19.02.2016)

W.P.No.2213 of 2016

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