

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:11.08.2016

CORAM:

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN

W.P. No.28129 of 2016

Mrs.S.Chandrasekaran

...Petitioner

Vs.

1.The Chairman,
Tamil Nadu Electricity Board,
144, Anna Salai,
Chennai - 600 002.

2.The Secretary,
Energy Department,
Secretariat,
Chennai - 600 009.

3.The Chief Engineer,
NPKRR Maaligai,
No.144, Anna Salai,
Chennai - 600 002.

4.The District Collector,
District Collector Office,
Erode District,
Erode.

5.The Superintendent Engineer,
Tamil Nadu Electricity Board,
Transmission Tower Line Work,
Udayapatti Electricity Board Office,
Salem - 636 014.

6.The Executive Engineer,
Tamil Nadu Electricity Board,
Transmission Tower Line Work,
Udayapatti Electricity Board Office,
Salem - 636 014.

7. The Assistant Engineer,
Tamil Nadu Electricity Board,
Transmission Tower Line Work,

Udayapatti Electricity Board Office,
Salem-636 014.

...Respondents

Prayer : Writ petition filed under Article 226 of the Constitution of India for issue of writ of mandamus directing the respondents to consider his representation dated 22.07.2016 favourably by erecting the High Tension Powers Line his land.

For Petitioner : Mr.A.S.Baalaji

For Respondents : Mr.S.K.Raameshuwar,
for R1, R3, R5 to R7

Mr.T.M.Pappiah,
Special Govt. Pleader
for R2 & R4.

O R D E R

The petitioner is the absolute owner of the land comprised in Survey Nos.330/1 and 330/2 of Kannapalli Village, Anthiyur Taluk, Erode District and around 500 Teak trees, 50 Neem trees, Beech trees, Mango trees, Donny trees, Coconut Trees and 50 Bamboo trees are standing in this land. The respondents contemplating to erect High Tension Electrical tower from Rasipalayam to Palavadi and they are trying to draw the cable through the petitioner's property. If the line is allowed to be drawn over and above the petitioner's property, the trees have to be necessarily cut. Therefore, the petitioner has given a representation on 22.07.2016 to consider alternative route, thereby avoiding the petitioner's land. So far, no reply has been received from the 5th respondent, the petitioner has come before this court.

2. Heard, M/s. A.S. Baalaji, learned counsel for the petitioner, Mr.S.K.Rameshwar, learned counsel who takes notice on behalf of the respondents 1, 3, 5 to 7 and Mr.T.M.Pappiah, learned Special Government Pleader who takes notice on behalf of the respondents 2 and 4.

3. Taking into consideration the limited scope of prayer sought for in this writ petition, this Court directs the 5th respondent, who is the competent authority to decide the re-alignment, to consider the representation of the petitioner dated 22.07.2016 and pass orders, on merits and in accordance with law, within a period of two weeks from the date of receipt of the copy of the order.

4. With the above direction, this writ petition is disposed of. No costs.

vsi2/rgr

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

TO

1.The Chairman,
Tamil Nadu Electricity Board,
144, Anna Salai, Chennai - 600 002.

2.The Secretary, Energy Department,
Secretariat, Chennai - 600 009.

3.The Chief Engineer, NPKRR Maaligai,
No.144, Anna Salai, Chennai - 600 002.

4.The District Collector, District Collector Office,
Erode District, Erode.

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Salem - 636 014.

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Tamil Nadu Electricity Board,
Transmission Tower Line Work,
Udayapatti Electricity Board Office,
Salem-636 014.

+ 1 cc to Mr.S.K.Raameshuwar, Advocate Sr 46395
+ 1 cc to The Govt.Pleader, Sr 46234

KR/30/8/16

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