

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-09-2016

CORAM

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN

W.P. 33517 of 2016

and WMP.No.28929 of 2016

P.Kali Suresh

.. Petitioner

Vs

1. The Chairman
Tamil Nadu Transmission Corporation Ltd.
(TANTRANSCO), 144 Anna Salai, Chennai.
 - 2 The Chief Engineer
Transmission, Tamilnadu Transmission
Corporation Ltd. (TANTRANSCO)
144 Anna Salai, Chennai.
 - 3 The Superintending Engineer
Tamilnadu Transmission Corporation Ltd.
(TANTRANSCO), Jothi Nagar,
P.N.Road, Tirupur- 641 602.
 - 4 The Superintending Engineer
Tamilnadu Transmission Corporation Ltd.
(TANTRANSCO), Coimbatore.
 - 5 The Executive Engineer
Tamilnadu Transmission Corporation Ltd.
(TANTRANSCO), Tirupur.
 - 6 The Executive Engineer
Tamilnadu Transmission Corporation Ltd.
(TANTRANSCO), Coimbatore.
 - 7 The District Collector
Tirupur District.
- .. Respondents

Prayer: This petition filed under Article 226 of the constitution of India praying to issue a Writ of Mandamus directing the respondents to consider the representation of the petitioner dated 20.09.2016 and consequently forbear the

respondents from in any way interfering with the petitioners ownership and enjoyment of the lands comprised in Survey Nos.214/3B4 and 214/3B5 measuring 60 cents in Karuvallur Village & Panchayat, Avinashi Taluk by laying over head transmission lines passing above the house and lands of the petitioner or for any other purpose without following the due process of law

For Petitioner : Mr.Sai Krishnan for
M/s.Sai Bharath and Ilan

For Respondents: Mr.S.K.Rameshuwar,
Standing Counsel for R1 to R6

Mr.T.M.Pappiah
Special Government Pleader for R7

ORDER

Heard Mr.Sai Krishnan, Advocate appearing for the petitioner, Mr.S.K.Rameshuwar, learned Standing Counsel, who took notice on behalf of the Respondents 1 to 6 and Mr.T.M.Pappiah, learned Special Government Pleader, who took notice on behalf of the 7th respondent.

2. The petitioner seeks for a Writ of Mandamus directing the respondents to consider his representation dated 20.09.2016 requesting the respondents not to interfere with his ownership and enjoyment of the lands comprised in Survey Nos.214/3B4 and 214/3B5 measuring 60 cents in Karuvallur Village & Panchayat, Avinashi Taluk by laying over head transmission lines passing above the house and lands of the petitioner or for any other purpose without following the due process of law.

3. The apprehension of the petitioner is that the respondents are trying to draw High Tension Power cables over his residential premises contrary to the earlier route, which goes on the southern side of his property.

4. The learned Standing Counsel for the Electricity Board would submit that the Extra High Tension (EHT) line is not proposed to be drawn over the petitioner's property. In this regard, he produced a communication of the Executive Engineer/TLC, Mettupalayam dated 23.09.2016, wherein, it is stated EHT Line will not pass over the existing building of the petitioner. The last three paragraphs in the said communication is extracted as follows:

"It comes to notice that, Thiru.Kali Suresh, Karuvalur Village has filed a Writ Petition stating that the EHT lines are passing

over this building, which is not true.

In this connection it is to be stated that line stringing work has not been commenced in this reach. The petitioner has stated that the EHT lines are passing over his building based on assumptions and presumptions.

It is ensured that the EHT lines will not pass over his existing building. Required horizontal clearance of 2.73m between the existing building and proposed 110 KV lines will also be maintained."

From the above, it is clear that the respondents 1 to 6 are not intending to draw the line over the petitioner's property.

5. In view of the above, recording the undertaking given by the Executive Engineer/TLC, Mettupalayam in the communication dated 23.09.2016, this writ petition is disposed of. No costs. Connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

jv/gya

To

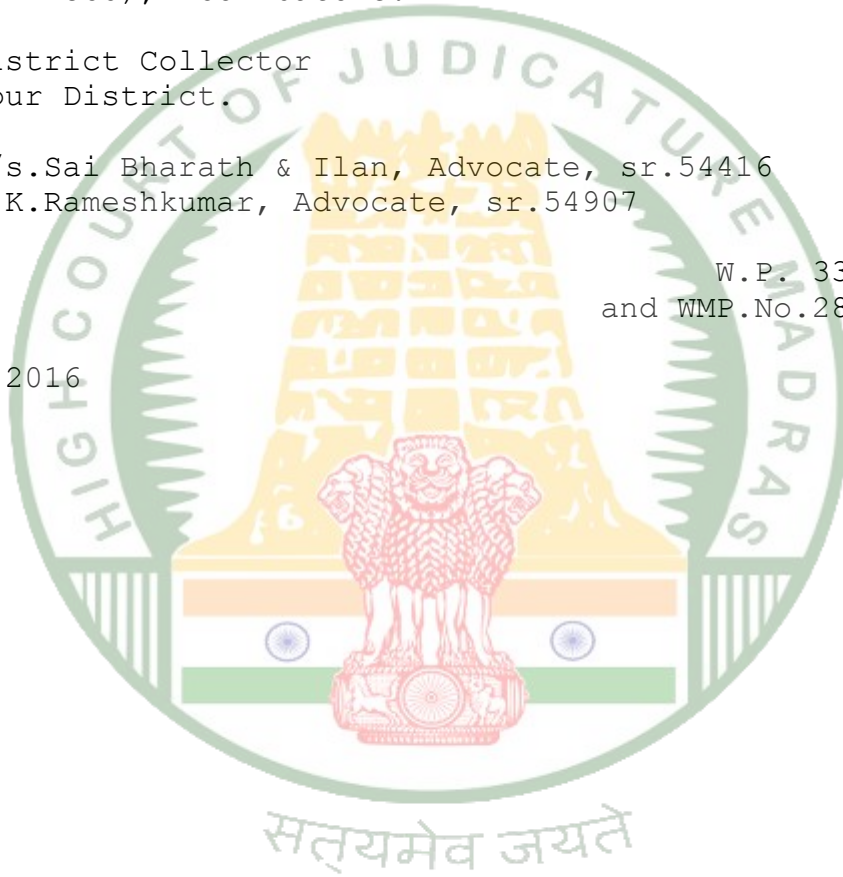
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1 cc to M/s.Sai Bharath & Ilan, Advocate, sr.54416
1 cc to S.K.Rameshkumar, Advocate, sr.54907

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ad co
kra 19.10.2016



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