

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.10.2016

CORAM

The Honourable MR. JUSTICE N.KIRUBAKARAN

W.P. No.36230 of 2016

Selvam

...Petitioner

Vs

1.The Chairman,  
TANGEDCO,  
Anna Salai,  
Chennai - 600 002.

2.The Executive Engineer,  
High Tension Line Construction,  
TANGEDCO,  
Dharmapuri.

3.The Executive Engineer,  
Transmission Line Construction,  
TANTRANSCO (TNEB)  
Udayapatti,  
Athur Bye-pass Road,  
Salem - 636 014.

4.The District Collector,  
Dharmapuri District,  
Dharmapuri.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents to pay the compensation to the petitioner for laying of high tension electricity transmission line over his property comprised in Survey No.451/3 situate at Somanahalli Village, Pennagaram Talk, Dharmapuri District with the prevailing rate of interest based on his representations dated 29.06.2015, 06.06.2016 and 12.09.2016 forthwith.

For Petitioner : Mr.C.Prabakaran  
For R-1 to R-3 : Mr.M.Varunkumar  
For R-4 : Mr.T.M.Pappiah,  
Special Govt. Pleader

O R D E R

The petitioner is the owner of the land comprised in Survey No.451/3 situated at Somanahalli Village, Pennagaram Taluk, Dharmapuri District to an extent of 21 cents. In the above said property, the respondents have laid High Tension Electric line across his land without even issuing notice to him. Though the transmission line passes through the land of the petitioner, so far no compensation has been given to him. Hence, the petitioner has made representations to the respondents requesting them to pay the compensation for laying of High Tension Electric line on his land. So far no order has been passed till date, the petitioner has approached this court by way of this writ petition.

2. Heard Mr.C.Prabakaran, learned counsel appearing for the petitioner, Mr.M.Varunkumar, learned standing counsel who takes notice on behalf of the respondents 1 to 3 and Mr.T.M.Pappiah, learned Special Government Pleader who takes notice on behalf of the fourth respondent.

4. It is not a new transmission tower which is to be erected by the respondents. Even according to the petitioner, in para 2 of the affidavit, it is mentioned that he had knowledge about the erection of High Tension Electric Line during the month of June 2015. The petitioner has no objection in laying the High Tension Electric Line in his property whereas he only seeks for payment of compensation for same.

5. Since the petitioner has got no objection for laying of transmission line on his property but only seeks for payment of compensation for same, it is appropriate to direct the respondents to pay compensation to the petitioner as per the guidelines notified by the Government of India, by order dated 15.10.2015.

6. Since the petitioner had already made a representation to the respondents on 29.06.2015, 06.06.2016 and 12.09.2016 claiming compensation, the fourth respondent is directed to determine the compensation as per the guidelines notified by the Government of India, by order dated 15.10.2015 and pay the same to the petitioner, within a period of twelve (12) weeks from the date of receipt of a copy of this order.

7. The writ petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

rgr

To

1.The Chairman,  
TANGEDCO,  
Anna Salai,  
Chennai - 600 002.

2.The Executive Engineer,  
High Tension Line Construction,  
TANGEDCO,  
Dharmapuri.

3.The Executive Engineer,  
Transmission Line Construction,  
TANTRANSCO (TNEB)  
Udayapatti,  
Athur Bye-pass Road,  
Salem - 636 014.

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4.The District Collector,  
Dharmapuri District,  
Dharmapuri.

+1CC to Mr.C.Prabakaran, Advocate, SR 58868

+1CC to Mr.M.Varunkumar, Advocate, SR 59510

+1CC to Government Pleader, SR 59164

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KGK (CO)  
PSI 12/11/2016



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