



WEB COPY

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.01.2016

CORAM:

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

Writ Petition(MD)No.1100 of 2016
and W.M.P(MD)No.924 of 2016

SP.Udayappan,
S/o.RM.Subramanian,
Old No.14, New No.55,
Panthadi 4th Street,
Madurai - 625 001
Rep. By power of Attorney Agent,
RM Subramanian

... Petitioner

Vs.

1.The Tamil Nadu Transmission Corporation Limited,
Rep. By its Chairman,
No.800, Anna Salai,
Chennai - 600 002.

2.The Superintending Engineer,
The Tamil Nadu Transmission Corporation Limited,
General Construction Circle,
K.Pudur, Madurai - 625 007.

3.The District Collector,
Madurai District,
Madurai.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, forbearing the respondents 1 and 2 herein, their men, agents, servants, subordinates or any officer or officers claiming through them or authorized by them from in any manner erecting Electricity Tower or Electric lines on any portion of the petitioner's land comprised in R.S.No.5/10 in No.91, Melamadai Bit II Village in Madurai District.

For Petitioner : Mr.AR.L.Sundaresan
Senior Counsel for M/s.AL.Ganthimathi

For RR 1 & 2 : Mrs.S.Srimathy

For R - 3 : Mr.M.Murugan
Government Advocate

**ORDER**

The petitioner seeks for a Mandamus forbearing the respondents 1 and 2 from erecting Electricity Tower or Electric lines on any portion of his property comprised in R.S.No.5/10 in No.91, Melamadai Bit II Village in Madurai District.

2. Mrs.S.Srimathy, learned counsel takes notice for the respondents 1 and 2 and Mr.M.Murugan, learned Government Advocate takes notice for the third respondent and by consent of both parties, the main Writ Petition itself is taken up for final disposal.

3. It is seen that the petitioner has made such objection by way of his representation before the District Collector on 06.01.2016 itself and therefore, it is for the District Collector/the third respondent to consider the objection filed by the petitioner and pass orders on merits and in accordance with law, after hearing the respondents 1 and 2 as well.

4. Therefore, a direction is issued to the third respondent to consider the objection raised by the petitioner on 06.01.2016 and pass orders on the same on merits and in accordance with law, after giving due opportunity of hearing to the respondents 1 and 2 as well within a period of two weeks from the date of receipt of a copy of this order. Till the third respondent pass such an order, the respondents 1 and 2 shall maintain status quo as exists today.

5. With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is also closed.

Sd/-

Assistant Registrar(R)

/True Copy/

Sub Assistant Registrar

To

- 1.The Chairman, Tamil Nadu Transmission Corporation Limited,
No.800, Anna Salai, Chennai - 600 002.
- 2.The Superintending Engineer,
The Tamil Nadu Transmission Corporation Limited,
General Construction Circle, K.Pudur, Madurai - 625 007.
- 3.The District Collector, Madurai District, Madurai.

+2cc to M/s.AL.Ganthimathi, Advocate Sr.No.3673 and 3674

+1cc to The Special Government Pleader SR.No.3419

akm/25.01.2016/2p-7c/AAL/MPA/SAR-II