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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.10.2016

CORAM:

THE HONOURABLE MR.SANJAY KISHAN KAUL, CHIEF JUSTICE
AND
THE HONOURABLE MR.JUSTICE S.NAGAMUTHU

W.P.(MD).No.11213 of 2011
and
M.P.Nos.1 and 2 of 2011

Pheniz [Kaluneerkulam],
Non-Government Organization,
Reg.No.10/2009, Represented by its President,
M.Jaber Sathik Oli,
S/o.Mohideen [Late],
No.2/93, Pallivasal South Street,
Kuluneerkulam Village, Alangulam Taluk,
Tirunelveli District. : Petitioner

Vs.

1.The Chief Engineer,
Non-Conventional Energy Sources [NCES],
Tamil Nadu Electricity Board,
No.144, Anna Salai, Chennai 600 002.

2.The District Collector,
Tirunelveli District, Tirunelveli.

3.The Revenue Divisional Officer,
Tenkasi, Tirunelveli District.

4.The District Environmental Officer,
Tamil Nadu Pollution Control Board,
No.30/2, Sidco Campus,
Pettai, Tirunelveli District 627 010.

5.The Executive Engineer,
Non-Conventional Energy Sources [NCES],
Tamil Nadu Electricity Board,
Aringer Anna Building, Maharaja Nagar,
Tirunelveli District.

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6.The Executive Engineer,
PWD Water Resource Centre,
Chittar Basin Division I,
Tenkasi, Tirunelveli District.

7.The Executive Officer,
Kaluneerkulam Panchayat,
Keelapavoor Panchayat Union,
Kaluneerkulam Village, Alangulam Taluk,
Tirunelveli District.

8.M/s.Global Wind Infrastructure and Services Pvt Ltd.,
No.301,Satellite Silver, Andheri Kuria Road,
Andheri [East], Mumbai 400 059.

9.M/s.Best Engineers Pumps Pvt Ltd.,
No.59-B, Thadagam Road,
Velandipalayam, Coimbatore 641 025.

10.M/s.Leitner Shriram Manufacturing Ltd.,
Regd Office No.5, T.V.Street,
Office [Spurtank Road, Chetpet,
Chennai 600 031. : Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the Respondents No.1 to 7 to remove the High Tension Tower Lines and Windmills inside the Agricultural lands Tanks and Channels and inhabited sites in Survey Nos.366/1, 3, 4, 5, 6 & 7, 387/4 5, 6A, 6B, 7A, 7B, 8, 9A, 9B, 10, 11, 12, 13, 14, 15, 16A, 16B, 16C, 16D, 17A, 17B, 18A & 18B, 99/1(P), 3(P), 130/2(P), 245/1(P), 382/1, 2, 181/1(P), 182/6 183/1A, 2, 9A, 9B(P), 175/1A(P), 1B(P), 1C(P), 140/4, 311/1(P), 2(P), 86/3, 4, 86/2(P), 86/5A(P), 86/5B(P), 86/6(P), 298/4(P), 5 (P), 301/2(P), 265/13(P), 14B, 14C, 14D, 15A, 15B, 15C, 15D, 18A, 18B, 18C, 18D, 18E, 18F, 18G, 18H, 18I, 18J, 18K, 18L, 352/2, 352/3, 352/4A, 352/4B, 530(P), 464/14, 465/8, 9, 10, 11(P) 12, 13, 14, 15(P), 16(P) and 17(P), 294, 295, 296, 80, 81, 82 situated at Kaluneerkulam Village, Alangulam Taluk, Tirunelveli District, which are being erected by the respondent Nos.9 and 10, without following the due process of law and directing the respondent Nos.1 to 7 to remove the 94 electric poles laid in the middle of the Maranthai Channel.

For Petitioner : Mr.T.Lajapathi Roy

For Respondent Nos.2to7 : Mr.T.R.Janarthanam
Additional Government Pleader

For Respondent No.10 : Mr.G.R.Swaminathan

For Respondent No.1 : No Appearance

For Respondents 8&9 : No Appearance

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[Order of the Court was made BY The Hon'ble The Chief Justice]

We are not inclined to entertain this Writ Petition as a Public Interest Litigation and if there are any individual land owners, who have any grievance, they may make representation to the concerned authority.

2. The Writ Petition accordingly, stands, dismissed. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar(T&P)

/True Copy/

Sub-Assistant Registrar

To
1.The Chief Engineer,
Non-Conventional Energy Sources [NCES],
Tamil Nadu Electricity Board,
No.144, Anna Salai, Chennai 600 002.
2.The District Collector, Tirunelveli District, Tirunelveli.
3.The Revenue Divisional Officer,
Tenkasi, Tirunelveli District.
4.The District Environmental Officer,
Tamil Nadu Pollution Control Board,
No.30/2, Sidco Campus, Pettai, Tirunelveli District 627 010.
5.The Executive Engineer,
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6.The Executive Engineer, PWD Water Resource Centre,
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7.The Executive Officer, Kaluneerkulam Panchayat,
Keelapavoor Panchayat Union,
Kaluneerkulam Village, Alangulam Taluk,
Tirunelveli District.
+One cc to Mr.T.Lajapathi Roy, Advocate, SR.No.58528
+One cc to Mr.G.R.Swaminathan, Advocate, SR.No.58645
+One cc to The Special Government Pleader, SR.No.58550
NB
RL/11C/3P/CK/17.10.2016

ORDER MADE IN
W.P.(MD).No.11213 of 2011
03.10.2016

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