

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.11.2017

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

Writ Petition No.30302 of 2017
and
WMP.No.33034 of 2017

H.A.Begam

W/o.A.Nijam Basha

.. Petitioner

versus

- 1.The Chairman
Tamil Nadu Generation and Distribution Corporation Limited
(TANGEDCO)
No.144, Anna Salai,
Chennai-600 002.
- 2.The Senior Superintendent Engineer/G.C.C.,
Tamil Nadu Generation and Distribution Corporation Limited
(TANGEDCO)
Tatabath, Coimbatore - 12.
- 3.The Executive Engineer / T.L.C.
Tamil Nadu Generation and Distribution Corporation Limited
Tatabath, Coimbatore-12.
- 4.The Junior Engineer
Tamil Nadu Generation and Distribution Corporation Limited
Tatabath, Coimbatore-12.
- 5.The Assistant Engineer
Tamil Nadu Generation and Distribution Corporation Limited
Echanari - Chettipallayam Road,
Coimbatore-21.

.. Respondents

Writ petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the respondents not to erect of the High Tension Electricity Tower in the petitioner land situated in Ka.Sa.No.449/2C2, Ka.Sa.No.451/2B and Survey Nos.450/1A1, 450/1A2, 244/1L and 244/1H in Keerapalayam Village, Coimbatore Taluk and District by way of a registered Sale Deed Document No.2024/1997 dated 06.03.1997 and registered Power of Attorney Deed Document No.598 of 2004 dated 29.04.2004 and consequently direct the respondents to erect

the High Tension Electricity Tower in any other appropriate place.

For Petitioner : Mr.R.Amardeep

For Respondents : Mr.Abdul Saleem
standing counsel

O R D E R

Mr.Abdul Saleem, learned standing counsel takes notice for the respondents. By consent of the parties, the main writ petition is taken up for final disposal at the admission stage itself.

2. The petitioner seeks for the following relief:

To direct the respondents not to erect of the High Tension Electricity Tower in the petitioner land situated in Ka.Sa.No.449/2C2, Ka.Sa.No.451/2B and Survey Nos.450/1A1, 450/1A2, 244/1L and 244/1H in Keerapalayam Village, Coimbatore Taluk and District by way of a registered Sale Deed Document No.2024/1997 dated 06.03.1997 and registered Power of Attorney Deed Document No.598 of 2004 dated 29.04.2004 and consequently direct the respondents to erect the High Tension Electricity Tower in any other appropriate place.

3. Heard both sides.

4. It is seen that the petitioner is aggrieved against the proposed erection of High Tension Electricity Tower in her land situated at Survey Nos. 449/2C2, 451/2B, 450/1A1, 450/1A2, 244/1L and 244/1H in Keerapalayam Village, Coimbatore Taluk and District, by contending that the erection of tower will cause severe damage and hardship to the petitioner's property and it would affect the cultivation. The petitioner has already made her objection before the respondents, also by marking a copy of the same to the District Collector, Coimbatore. As the District Collector is the competent authority to decide these kind of objections under Section 16 of the Indian Telegraph Act, this Court, at this stage, is not inclined to entertain the present writ petition, as the petitioner has to agitate the matter only before the District Collector, Coimbatore.

5. Therefore, this writ petition is disposed of, only by directing the District Collector, Coimbatore to consider the objection raised by the petitioner dated 10.11.2017 and pass orders on the same on merits and in accordance with law, after hearing all the parties concerned. Till an

order is passed by the District Collector, Coimbatore, the respondents are directed to maintain status quo as on today. Such exercise shall be done by the District Collector, Coimbatore, within a period of four weeks from the date of receipt of a copy of this order. No Costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Deputy Registrar

//True Copy//

Sub Assistant Registrar

mk

Note: The Registry is directed to mark a copy of this order to the District Collector, Coimbatore.

Issue order copy on 28.11.2017

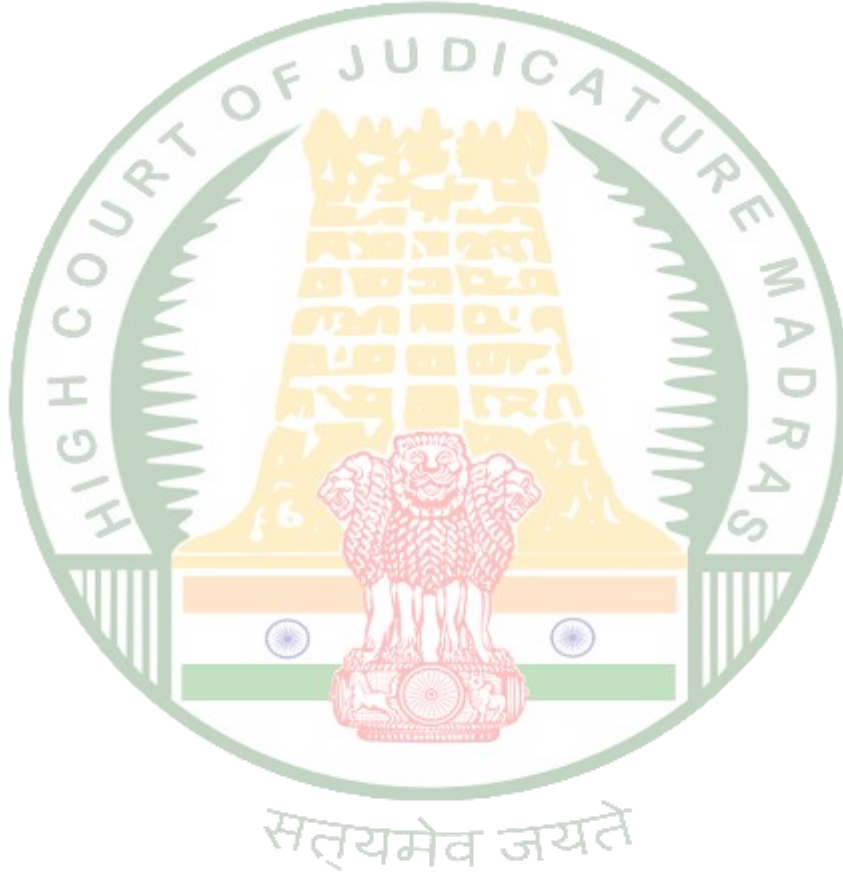
To

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Tamil Nadu Generation and Distribution Corporation Limited
Echanari - Chettipallayam Road,
Coimbatore-21.

+1cc to Mr.Tamizhlaw Firm, Advocate, S.R.No. 83865
+1cc to Mr.Abdul Saleem, Advocate, S.R.No. 83884

W.P.No.30302 of 2017

RRK(28/11/2017)



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