

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.03.2017

CORAM

THE HON'BLE Mr. JUSTICE M.M.SUNDRESH

W.P.Nos.7539 to 7543 and 7584 to 7593 of 2017
& WMP Nos.8221 to 8225 and 8265 to 8274 of 2017

K.N.Devaraj ..Petitioner in W.P.No.7539/2017
R.Muthusamy ..Petitioner in W.P.No.7540/2017
P.Soundarraaj ..Petitioner in W.P.No.7541/2017
P.Deivasigamani ..Petitioner in W.P.No.7542/2017
K.K.Duraisamy ..Petitioner in W.P.No.7543/2017
K.Muthusamy ..Petitioner in W.P.No.7584/2017
T. Vijayalakshmi ..Petitioner in W.P.No.7585/2017
V.Kathirvel ..Petitioner in W.P.No.7586/2017
A. Malarkodi ..Petitioner in W.P.No.7587/2017
P. Subramani ..Petitioner in W.P.No.7588/2017
P.Viswanathan ..Petitioner in W.P.No.7589/2017
M. Raja ..Petitioner in W.P.No.7590/2017
U.Vijayakumar ..Petitioner in W.P.No.7591/2017
C. Natarajan ..Petitioner in W.P.No.7592/2017
K. Ponnappa Gounder ..Petitioner in W.P.No.7593/2017
@ Ponnusamy

Vs.

- 1.The District Collector,
Erode District, Erode.
- 2.The Superintendent Engineer,
General Construction Circle,
TANTRANSCO,
Dr. Subbarayan Road, Tatabad,
Coimbatore-12.
- 3.The Executive Engineer,
General Construction Circle,
TANTRANSCO, Ellamedu, Ingur,
Perundurai Taluk,
Erode District. ..Respondents 1to3 in WPs.7539
to 7543/17 Respondents

- 1 The District Collector
Salem District Salem.

2 The Superintendent Engineer
General Construction Circle
TANTRANSCO
Aathur Bypass Road Udayampatti
Salem.

..Respondents 1&2
in WPs.7588 to 7593/17 &
7584 to 7593/17

3 The Executive Engineer
General Construction Circle
TANTRANSCO
Aathur Bypass Road,
Udayampatti Salem.

..Respondent-3 in WPs.7584,
7485,7487, 7588 to 7593/17

The Executive Engineer,
General Consturction Circlr,
TANTRANSCO, Ellamedu Ingur,
Mettur T.K. Salem.

..3rd Respondent in WP.7586/17

Writ Petition in W.P.No.7539 of 2017 is filed under
Article 226 of The Constitution of India praying to issue a
writ of mandamus

To forbear the respondents from erecting, drawing any High
Tension Electricity Towers or Lines in the petitioner's
Agricultural Lands bearing S.F.No:695/3 of Jambai Village,
Bhavani Taluk, Erode District, until the strict compliance of
the Sections 10 and 16 of the Indian Telegraphic Act, 1885
read with Sections 68 and 164 of the Indian Electricity Act,
2003.

W.P.No.7540 of 2017: To forbearing the respondents from
erecting drawing any High Tension Electricity Towers or Lines
in the Petitioners Agricultural Lands bearing S.F.No.431/4
432/1C & 432/2B of Kannamoochi village Mettur Taluk Salem
District until the strict compliance of the Sections 10 & 16
of the Indian Telegraphic Act 1885 r/w sections 68 & 164 of
the Indian Electricity Act, 2003 and pass any such further or
other orders as this Hon'ble Court may deem fit and proper in
the circumstances of the case and thus render justice.

W.P.No.7541 of 2017: Forbearing the respondents from erecting
drawing any High Tension Electricity Towers or Lines in the
petitioners Agricultural Lands bearing S.F.Nos.145/7 145/8 &
145/9 of Puthurpalayam Village Erode Taluk Erode District
until the strict compliance of the Sections 10 & 16 of the
Indian Telegraphic Act 1885 r/w Sec. 68 & 164 of the Indian

Electricity Act, 2003 and pass any such further or other orders as this Hon'ble Court may deem fit and proper in the circumstances of the case and thus render justice.

W.P.No.7542 of 2017: Forbearing the respondents from erecting drawing any High Tension Electricity Towers or Lines in the petitioners Agricultural Lands bearing S.F.No.100/1 100/2 & 101/9 of Pungampalayam Village Perunthurai Taluk Erode District until the strict compliance of the Sections 10 & 16 of the Indian Telegraphic Act 1885 r/w Sec. 68 & 164 of the Indian Electricity Act, 2003 and pass any such further or other orders as this Hon'ble Court may deem fit and proper in the circumstances of the case and thus render justice.

W.P.No.7543 of 2017: Forbearing the respondents from erecting drawing any High Tension Electricity Towers or Lines in the petitioners Agricultural Lands bearing S.F.No.145/9 of Puthurpalayam Village Erode Taluk Erode District until the strict compliance of the Sections 10 & 16 of the Indian Telegraphic Act 1885 r/w Sec.68 & 164 of the Indian Electricity Act, 2003 and pass any such further of other orders as this Hon'ble Court may deem fit and proper in the circumstances of the case and thus render justice.

W.P.No.7584 of 2017: Forbearing the respondents from erecting drawing any High Tension Electricity Towers or Lines in the Petitioners Agricultural Lands bearing S.F.No.379 of Kannamoochi village Mettur Taluk Salem District until the strict compliance of the Sections 10 & 16 of the Indian Telegraphic Act 1885 r/w sections 68 & 164 of the Indian Electricity Act, 2003 and pass any such further or other orders as this Hon'ble Court may deem fit and proper in the circumstances of the case and thus render justice.

W.P.No.7585 of 2017: forbearing the respondents from erecting drawing any High Tension Electricity Towers or Lines in the Petitioners Agricultural Lands bearing S.F.No.331/4 331/3 & 337/3C of Kannamoochi village Mettur Taluk Salem District until the strict compliance of the Sections 10 & 16 of the Indian Telegraphic Act 1885 r/w sections 68 & 164 of the Indian Electricity Act, 2003 and pass any such further or other orders as this Hon'ble Court may deem fit and proper in the circumstances of the case and thus render justice.

W.P.No.7586 of 2017: Forbearing the respondents from erecting drawing any High Tension Electricity Towers or Lines in the Petitioners Agricultural Lands bearing S.F.No.483/2 & 484/3 of Kannamoochi village Mettur Taluk Salem District until the strict compliance of the Sections 10 & 16 of the Indian Telegraphic Act 1885 r/w sections 68 & 164 of the Indian Electricity Act, 2003 and pass any such further or other orders as this Hon'ble Court may deem fit and proper in the circumstances of the case and thus render justice.

W.P.No.7587 of 2017: Forbearing the respondents from erecting drawing any High Tension Electricity Towers or Lines in the Petitioners Agricultural Lands bearing S.F.No.485/3A of Alamarathupatti Village Mettur Taluk Salem District until the strict compliance of the Sections 10 & 16 of the Indian Telegraphic Act 1885 r/w sections 68 & 164 of the Indian Electricity Act, 2003 and pass any such further or other orders as this Hon'ble Court may deem fit and proper in the circumstances of the case and thus render justice.

W.P.No.7588 of 2017: forbearing the respondents from erecting drawing any High Tension Electricity Towers or Lines in the Petitioners Agricultural Lands bearing S.F.No.431/4 432/1C & 432/2B of Kannamoochi village Mettur Taluk Salem District until the strict compliance of the Sections 10 & 16 of the Indian Telegraphic Act 1885 r/w sections 68 & 164 of the Indian Electricity Act, 2003 and pass any such further or other orders as this Hon'ble Court may deem fit and proper in the circumstances of the case and thus render justice.

W.P.No.7589 & 7590 of 2017: Forbearing the respondents from erecting drawing any High Tension Electricity Towers or Lines in the Petitioners Agricultural Lands bearing S.F.No.283/1, 1162/1B of Kannamoochi village and Alamarathupatti Village, Mettur Taluk, Salem District until the strict compliance of the Sections 10 & 16 of the Indian Telegraphic Act 1885 r/w sections 68 & 164 of the Indian Electricity Act, 2003 and pass any such further or other orders as this Hon'ble Court may deem fit and proper in the circumstances of the case and thus render justice.(in WPs.7589 & 7590/17)

WP.No.7591 of 2017: Forbearing the respondents from erecting drawing any High Tension Electricity Towers or Lines in the Petitioners Agricultural Lands bearing S.F.No.484/5 of Alamarathupatti village Mettur Taluk Salem District until the strict compliance of the Sections 10 & 16 of the Indian Telegraphic Act 1885 r/w sections 68 & 164 of the Indian Electricity Act, 2003 and pass any such further or other orders as this Hon'ble Court may deem fit and proper in the circumstances of the case and thus render justice.

WP.No.7592 of 2017: Forbearing the respondents from erecting drawing any High Tension Electricity Towers or Lines in the Petitioners Agricultural Lands bearing S.F.No.48/5 of Kannamoochi village Mettur Taluk Salem District until the strict compliance of the Sections 10 & 16 of the Indian Telegraphic Act 1885 r/w sections 68 & 164 of the Indian Electricity Act, 2003 and pass any such further or other orders as this Hon'ble Court may deem fit and proper in the circumstances of the case and thus render justice.

WP.No.7593 of 2017: Forbearing the respondents from erecting drawing any High Tension Electricity Towers or Lines in the Petitioners Agricultural Lands bearing S.F.No.1173/2B of Alamarathupatti Village Mettur Taluk Salem District until the strict compliance of the Sections 10 & 16 of the Indian Telegraphic Act 1885 r/w sections 68 & 164 of the Indian Electricity Act, 2003 and pass any such further or other orders as this Hon'ble Court may deem fit and proper in the circumstances of the case and thus render justice.

For Petitioner .. Mr.V.Raghavachari for
in all W.Ps. M/s Va Vu Si Vazhakagam

For respondents .. Mr.S.Diwakar,
in W.Ps. 7539 to Special Government Pleader for R1
7543 of 2017

For respondents .. Mr.O.Selvam,
in W.Ps. 7584 to Government Advocate for R1
7588 of 2017

For respondents ..Mr.K.J.Sivakumar,
in W.Ps. 7589 to Government Advocate for R1
7593 of 2017

Mr.S.K.Rameshwar for R2 & R3
in all W.Ps.

COMMON ORDER

In all these cases, representations have been made by the petitioners to the District Collector concerned, who is yet to be passed an order under Sections 10 and 16 of the Indian Telegraphic Act, 1885 on the same.

2. In such view of the matter, a direction is issued to the District Collector concerned to pass appropriate final orders on the said representations of the petitioners within

a period of four weeks from the date of receipt of a copy of this order. Till such time, status quo as on today shall be maintained.

3. The writ petitions stand disposed of accordingly. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar (CS IV)

//True Copy//

Sub Assistant Registrar

raa

To

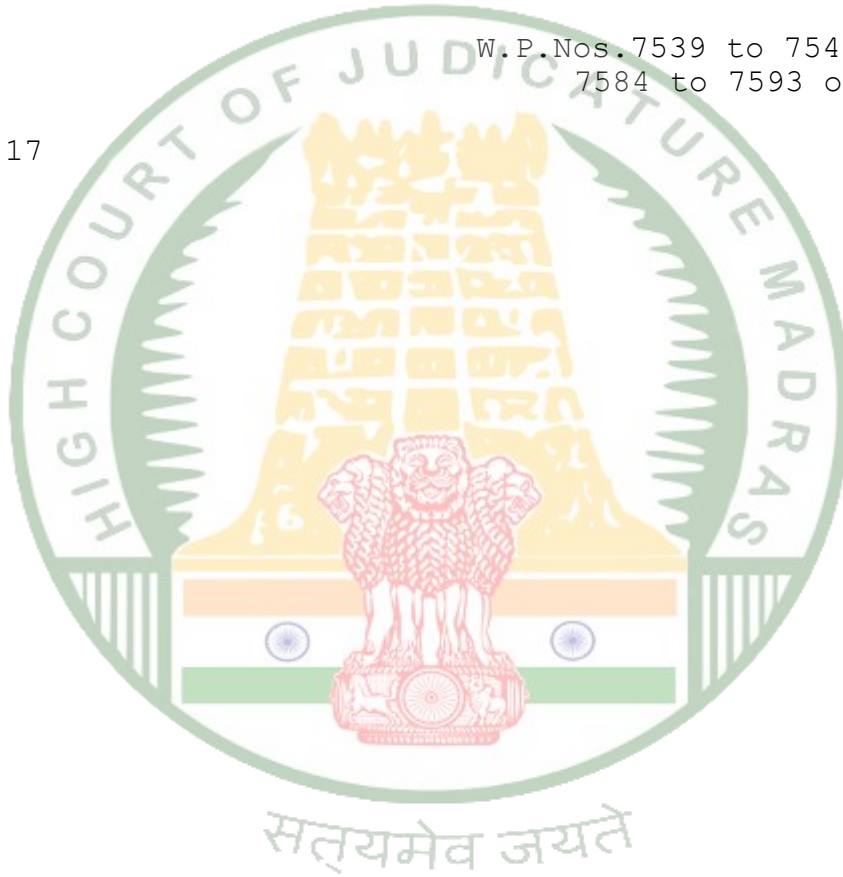
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3. The Executive Engineer,
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4. The District Collector,
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5. The Superintendent Engineer,
General Construction Circle,
TANTRANSCO,
Aathur Bypass Road,
Udayampatti, Salem.
6. The Executive Engineer,
General Construction Circle,
TANTRANSCO,
Aathur Bypass Road,
Udayampatti, Salem.

7. The Executive Engineer,
General construction Circle,
TANTRANSCO, Ellamedu Ingur,
Mettur T.K., salem.

- + 15 ccs to M/s. Va.Vu.Si Vazhakagam,
Advocate SR.19410 to 19424
- + 2 ccs to Government Pleader Advocate Sr.20228 & 20238
- + 3 ccs to Mr.S.K. Raameshuwar, Advocate
SR.19691 & 19692 & 19693

W.P.Nos.7539 to 7543 and
7584 to 7593 of 2017

RV(CO)
EU 19.4.17



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