

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.03.2017

CORAM

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

W.P.No.7633 of 2017
and
W.M.P.No.8336 of 2017

G.Kothandaraman

.. Petitioner

Vs.

1.The Superintending Engineer,
TANTRANSCO,
General Construction Circle I,
F.Pillaipakkam 110 KV Substation,
Tamil Nadu Electricity Board,
A10, Thiru.Vi.Ka.Industrial Estate,
Guindy, Chennai - 32.

2.The Director,
Transmission Projects,
TANTRANSCO,
X Floor, NPKRR Maligai,
144, Anna Salai, Chennai - 2.

3.The District Collector,
Kancheepuram District,
Kancheepuram.

4.The Sub Collector,
Kancheepuram District,
Kancheepuram.

5.The Tahsildar,
Sriperumbudur Taluk,
Kancheepuram District.

.. Respondents

Petition filed under Article 226 of The Constitution of India praying to issue a writ of mandamus directing the respondents to remove the existing foundation of transmission tower situated for the purpose of laying the High Tension Electricity Tower from Pillaipakkam SIPCOT 110 KV SS to the existing Irrungattukottai 110KV SS project in the property of the petitioner in which iron and steel scrap compressing unit in

the name and style of Sri Sai Enterprises is functioning, comprised in Survey No.281/1, bearing Patta No.500, situated in Kattarambakkam Village, Sriperumbudur Taluk, Kancheepuram District for the purpose.

For Petitioner .. Mr.A.Palaniappan

For Respondents .. Mr.S.K.Rameshwar for R1 & R2
Mr.P.V.Selvakumar,
Addl. Govt. Pleader for R3 to R5

ORDER

The petitioner, who is the owner of the land, has come forward to file this writ petition on the premise that the enquiry as contemplated has not been conducted in a free and fair manner.

2.Admittedly, after enquiry, no order is passed. Thus, this Court is of the view that the writ petition is premature. The petitioner seeks a direction to the respondents to remove the existing foundation of transmission tower, which is not feasible for consideration by this Court at this stage. The petitioner has come forward to file this writ petition without even waiting for the orders to be passed on the enquiry conducted.

3.In such view of the matter, this writ petition is dismissed, making it clear that in the event of the petitioner challenging the order, provided it goes against him, it is well open to him to raise all the contentions that are open in law. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

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To

- 1.The Superintending Engineer,
TANTRANSCO,
General Construction Circle I,
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- 4.The Sub Collector,
Kancheepuram District,
Kancheepuram.
- 5.The Tahsildar,
Sriperumbudur Taluk,
Kancheepuram District.

+lcc to Mr.A. Palaniappan, Advocate, S.R.No.19249
+lcc to Mr.S.K. Rameshwar, Advocate, S.R.No.19115

W.P.No.7633 of 2017

SCD(CO)
EU 17.4.17

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