

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.04.2017

CORAM:

The Hon'ble Mr.Justice M.M.SUNDRESH

W.P.Nos.11068 to 11073 of 2017
and
W.M.P.Nos.12012 to 12017 of 2017

A.V.Arjunan ..Petitioner in W.P.11068/17
C.Nallasamy Gounder ..Petitioner in W.P.11069/17
M.Arunachalam ..Petitioner in WP.11070/17
C.Sidheeswaran ..Petitioner in W.P.11071/17
R.Nachimuthu ..Petitioner in W.P.11072/17
N.Venkatesan ..Petitioner in W.P.11073/17

Vs.

- 1.The District Collector,
Erode District, Erode.
- 2.The Superintending 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 in all WPs.

W.P.Nos.11068 to 11073/17:

Writ Petitions filed under Article 226 of the Constitution of India for the issuance of a writ of Mandamus forbearing the respondents from erecting drawing any High Tension Electricity Towers or Lines in the petitioners Agricultural Lands bearing S.F. Nos. 59/2 & 59/3 of Thayirpalayam Village Erode Taluk

S.F.250/5 of Perode Village, Erode District, S.F.No.132/1 of Puthurpudhupalayam Village, Erode Taulk S.F.Nos.27/1A, 27/1B and 27/5 of Chinnapuliyur Village, Bhavani Taulk, S.F.24/7, 25/17, 25/5 & 25/7 of Thenmugham Vellode Village, Perunthurai Taulk, S.F.No.92/5 of Chinnapuliyur Village, Bhavani Taulk, Erode District respectively, 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.

For Petitioner .. Mr.M.Easan
in all the W.Ps

For Respondents ... Mr.S.Diwakar,
Spl. Govt. Pleader for R1
in all the W.Ps

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

COMMON ORDER

Mr.S.Diwakar, learned Special Government Pleader takes notice for the first respondent in all the writ petitions and Mr.S.K.Rameshwar, learned counsel takes notice for respondents 2 and 3 in all the writ petitions.

2.Considering the commonality of the issue involved, these writ petitions are taken up together and disposed of by way of a common order.

3.In all these writ petitions, the petitioners seek a direction against the respondents from erecting, drawing any High Tension Electricity Towers or Lines through their agricultural lands. Admittedly, the petitioners have given their objections. The objections are pending consideration with the first respondent being the Executive Magistrate under Section 16 of the Indian Telegraph Act, 1885.

4.In such view of the matter, the first respondent is directed to pass appropriate orders on the same, after due notice to the petitioner and respondents 2 and 3 within a period of four weeks from the date of receipt of a copy of this order. Needless to state that till then, status quo as on today shall be maintained.

5.With the above direction, these writ petitions stand disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

mmi

To

1.The District Collector,
Erode District, Erode.

2.The Superintending 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.

+6cc to M/s.Vavu Si Vazhakagam, Advocate sr.26014 to 26019

W.P.Nos.11068 to 11073 of 2017

sv(co)
ss(11/5/2017)

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