

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.10.2017

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

Writ Petition No.24925 of 2017  
and W.M.P.Nos.26307 of 2017

LOGOS VISION TRUST  
Rep.by its Trustee,  
P.v.Shyamsundar,  
having office at Old Door No.3, New Door No.5-A/2,  
1<sup>st</sup> Floor, Beemseena Building,  
Murrays Gate Road,  
Alwarpet, Chennai - 600 018. ... Petitioner

Vs.

1. The Chairman,  
Tamilnadu Transmission Corporation Ltd (TAN TRANSCO),  
10<sup>th</sup> Floor,  
N.P.K.R.R. Maligai,  
No.144, Anna Salai,  
Chennai-600 002.
2. The Assistant Executive Engineer,  
Transmission Line Construction,  
No.765 K.V.DC Line/TAN TRANSCO,  
No.33, 4<sup>th</sup> Street,  
Devi Nagar,  
Arcot, Vellore District.
3. The District Collector,  
Vellore District,  
Vellore - 632 009.

(R3 is impleaded as per order of this court  
dated 03.10.2017 by KRCBJ)

... Respondents

PRAYER: Writ petition filed under Article 226 of the  
Constitution of India praying for issuance of Writ of Mandamus  
to forbear the respondents from erecting high tension power  
transmission towers upon the petitioner's land in S.Nos.174/2A,  
174/2B,174/2C1,174/2C2B,174/2C2A, 174/4A, 4B and 174/4C and  
running through the 765 KVDC POWER TRANSMISSION LINE in the  
petitioner's land in S.Nos.168/21, 173/2,175/2,174/2A,  
174/2B,174/2C1, 174/2A3,174/2C2B,174/4A, 174/4B, 174/4C, 175/4,  
179/1, 188/5, 189/1, 189/2 and 174/2A2 of Thagarakuppam village,

Walaja Taluk, Vellore.

For Petitioner : Mr.P.Chandrasekar  
For Respondents : Mr.M.VarunKumar  
Standing Counsel for R1 & R2  
: Mr.R.Govindasamy  
Special Government Pleader  
for R3/ Implead Respondent

O R D E R

The petitioner is aggrieved against the action of the respondents 1 and 2 in erecting high tension power transmission towers upon the petitioner's land in S.Nos.174/2A, 174/2B,174/2C1,174/2C2B,174/2C2A, 174/4A, 4B and 174/4C and running through the 765 KVDC POWER TRANSMISSION LINE in the petitioner's land in S.Nos.168/21, 173/2,175/2,174/2A, 174/2B,174/2C1, 174/2A3,174/2C2B,174/4A, 174/4B, 174/4C, 175/4, 179/1, 188/5, 189/1, 189/2 and 174/2A2 of Thagarakuppam village, Walaja Taluk, Vellore. The main grievance of the petitioner is that the respondents 1 and 2 are proceeding with erection of the high tension power transmission towers, despite a serious objection made by the petitioner on 14.06.2017 objecting to such erection. Therefore, it is contended that unless and until the objection of the petitioner is considered and decided on merits, the respondents 1 and 2 cannot proceed with their erection work. It is further stated that the third respondent is the competent authority to decide the dispute with regard to the objection raised by the petitioner.

2.Learned Standing Counsel for the respondents 1 and 2 submitted that the objections raised by the petitioner will be referred to the third respondent for his decision.

3.Heard both sides.

4.Considering the above stated facts and circumstances and the submissions made by the learned counsels appearing on either side, it is seen that the objection filed by the petitioner has not been referred to the competent authority viz., the third respondent herein so far. Hence, the respondents 1 and 2 are directed to refer the objection filed by the petitioner to the third respondent within a period of two weeks from the date of receipt of a copy of this order. On receipt of the objection, the third respondent shall conduct an enquiry and give due opportunity of hearing to the petitioner and thereafter, pass orders on merits and in accordance with law on the objection raised by the petitioner. Such exercise shall be done by the third respondent within a period of four weeks from the date of receipt of the objection from the respondents 1 and 2. Till an

order is passed by the third respondent, the petitioner as well as the respondents 1 and 2 shall maintain status quo as on today. The writ petition is disposed of accordingly. No costs. The connected miscellaneous petition is closed.

Sd/-  
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

vri/klt  
To

1. The Chairman,  
Tamilnadu Transmission Corporation Ltd (TAN TRANSCO),  
10<sup>th</sup> Floor,  
N.P.K.R.R. Maligai,  
No.144, Anna Salai,  
Chennai-600 002.
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3. The District Collector,  
Vellore District,  
Vellore - 632 009.

+1 cc to Mr.P.Babu Advocate sr 71024  
+1 cc to the Government Pleader sr 71396  
+1 cc to Mr.Varunkumar Advocate sr 71191

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W.P.No.24925 of 2017

skv(co)  
aa07/11/2017

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