

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.10.2017

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

Writ Petition No.25974 of 2017
and
W.M.P.Nos.27565 & 27566 of 2017

1. Sadaiaappa Gounder
2. Mohan
3. Allimuthu
4. Suresh

.. Petitioners

Vs.

1. Superintending Engineer
TAN TRANSCO GLL
Tata Bad, Coimbatore.
2. The Executive Engineer
Transmission Line Construction
Ellaimeadu, Ingur,
Perundurai, Erode District.
3. The Assistant Engineer
Transmission Line Construction
Ellaimeadu, Ingur,
Perundurai, Erode District.

... Respondents

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, forbearing the respondents in putting up or erecting the EHT in tower in R.S.No.217/3 and R.S.No.158, Puthur Pallapalayam Village, Uthukuli Taluk, Tiruppur District.

For Petitioners : Mr.A.Sundaravadhanan

For Respondents : Mr.S.K.Rameshwari

Standing Counsel

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O R D E R

Mr.S.K.Rameshwari, learned standing counsel takes notice for the respondents 1 to 3. By consent of the parties, the main writ petition is taken up for final disposal at the admission stage itself.

2. The petitioners seek for a mandamus, forbearing the respondents from erecting EHT Tower in R.S.No.217/3 and R.S.No.158, Puthur Pallapalayam Village, Uthukuli Taluk, Tiruppur district.

3. Heard the learned counsel appearing for the petitioners and the learned standing counsel appearing for the respondents.

4. It appears that the petitioners have some grievance against the erection of electric tower by the respondents in pursuant to the notification issued on 09.10.2015. At the same time, it is seen that the petitioners have not made any objections before the Competent Authority viz., the District Collector opposing the erection of the tower. Without making any objections, the present writ petition is filed before this Court, seeking for a mandamus as stated supra. Unless, the petitioners approached the Competent District Collector having jurisdiction and make their objections, the respondents will not be in a position to address the objections raised by the petitioners.

5. Therefore, this writ petition is disposed of, by granting liberty to the petitioners to approach the Competent District Collector having jurisdiction and make their objections. As and when any objections is filed, the Competent District Collector having jurisdiction will consider the same on its own merits and in accordance with law and pass appropriate orders, after giving due opportunity of hearing to the petitioners as well as to the respondents. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar (CS VI)

/TRUE COPY/

Sub Assistant Registrar

mk

To

1. Superintending Engineer
TAN TRANSCO GLL
Tata Bad, Coimbatore.
2. The Executive Engineer
Transmission Line Construction
Ellaimedu, Ingur,
Perundurai, Erode District.

3. The Assistant Engineer
Transmission Line Construction
Ellaimeadu, Ingur,
Perundurai, Erode District.

+1 C.C. to M/S.Mr.A.Sundaravadhanan Advocate SR.NO. 71644/17

+1 C.C. to M/S.Mr.S.K.Rameshwar Advocate SR.NO. 71767/17

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VGII(CO)
T.R (28/10/2017)



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