

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.07.2017

CORAM

THE HON'BLE MR. JUSTICE M.DURAISWAMY

W.P.No.16929 of 2017 &
W.M.P.No.16929 of 2017

M/s.Canan Valley Foundation
Rep. by its Manager
Mr.K.Unni Krishnan
P-425/3, 17th Street
6th Avenue, Anna Nagar
Chennai-40

....Petitioner

v.

1 Tamilnadu Generation and Distribution Corporation Ltd.
Rep. by its Chairman
10th Floor, NPKRR Maaligai, No.144, Anna Salai,
Chennai 600 002

2 The Superintending Engineer
Central Construction Circle II
Tamilnadu Transmission Corporation Ltd.
Guindy, Chennai-600 032

3 The Divisional Engineer
Central Construction Circle II
Tamilnadu Transmission Corporation Ltd.
Guindy, Chennai-600 032

4 The District collector
Thiruvallur District
NH 205, Thiruvallur - 602 001

.... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus, forbearing the respondents from erecting any high tension tower on the petitioner's patta land comprising in Survey No.61, Udayavar Koil Village, measuring an extent of 1.92 Acres of Poonamallee Taluk, Thiruvallur District.

For Petitioner : Mr.V.Srinivasababu

For Respondents : Mr.S.K.Rameshwar,

Standing Counsel (TNJEB) - for R1 to R3
Mr.O.Selvam

Government Advocate - for R4

ORDER

The petitioner has filed the above writ petition to issue a Writ of Mandamus, forbearing the respondents from erecting any high tension tower on his patta land comprising in Survey No.61, Udayavar Koil Village, measuring an extent of 1.92 Acres of Poonamallee Taluk, Thiruvallur District.

2. It is the case of the petitioner that the 3rd respondent along with his subordinates entered the petitioner's property bearing S.No.61 on 29.06.2017 and by using prokelane machine and excavator, started digging huge pit measuring 30 x 30 feet without prior notice to the petitioner trust. It was informed to the petitioner that while digging pit, the 3rd respondent is going to erect high tension tower

The learned counsel appearing for the petitioner submitted that the petitioner, who is the wife of late A.Lingasamy, has given a representation dated 12.05.2017 to the 4th respondent-District Collector, to relocate the electrical towers.

3. Mr.S.K.Rameshwar, learned Standing Counsel, takes notice for the respondents 1 to 3 and submitted that the 3rd respondent has also given a representation to the 4th respondent-District Collector, seeking for permission to erect the electrical towers at S.F.No.523/1 and to carry out the line stringing work in the said land.

4. Mr.S.Diwakar, learned Special Government Pleader, takes notice for the 4th respondent.

5. The learned counsel on either side submitted that in spite of the representations given by the petitioner as well as by the 3rd respondent, the 4th respondent has not passed any orders, so far.

6. Mr.S.Diwakar, learned Special Government Pleader, submitted that the 4th respondent may be directed to pass orders on the representations given by the petitioner as well as by the 3rd respondent, in accordance with law.

7. In view of the submissions made by the learned counsel on either side, without expressing any opinion with regard to the merits of the case, I direct the 4th respondent to pass orders on the petitioner's representation dated 12.05.2017 and the 3rd respondent, dated 11.04.2017, in accordance with law, after giving an opportunity of personal hearing to all the interested parties, within a period of two weeks from the date of receipt of a copy of this order.

With these observations, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

Rj

To

1

The Chairman
Tamil Nadu Electricity Board
NPKRR Maligai, No.144 Anna Salai,
Chennai-600 002.

2

The Chief Engineer
Tamil Nadu Transmission Corporation
Mannarpuram, Trichy-620 020.

3

The Superintending Engineer
General Construction Circle
Tamil Nadu Transmission Corporation
No.182 Doctor Subbarayan Salai
Tatabad, Coimbatore-641 012

4

The District Collector
Palladam Road
Tiruppur-641 601, Tiruppur District

+ 1 cc to M/s.V.Sriniva Babu, Advocate, SR.48142

+ 1 cc to M/s.S.K.Rameshuwar, Advocate, SR.48369

+ 1 cc to The Govt.Pleader, SR.48665

W.P.No.16929 of 2017 &
W.M.P.No.16929 of 2017

SCD(CO)

NR 24/07/2017