

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.02.2018

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

Writ Petition No.3165 of 2018

and

W.M.P.No.3879 of 2018

Ajantha

.. Petitioner

Vs.

1. The District Collector,  
Office of the District Collectorate,  
Cuddalore District.
2. The Superintenant Engineer,  
Tamil Nadu Transmission  
Corporation Ltd. (TANTRANSCO),  
Cuddalore Electricity Distribution Circle  
-Keparmalai,  
Cuddalore -4.
3. The Executive Engineer,  
Tamil Nadu Transmission  
Corporation Ltd. (TANTRANSCO),  
No.13, Deepan Nagar,  
Cuddalore Town,  
Cuddalore District.
4. The Assistant Executive Engineer,  
Tamil Nadu Transmission  
Corporation Ltd. (TANTRANSCO),  
Cuddalore Town,  
Cuddalore District.

...Respondents

Writ petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus to call for the records of the impugned order dated 24.01.2018 passed by the 1<sup>st</sup> respondent herein in his Proceedings in Na.Ka.L1/19681/2016 and quash the same and consequently direct the respondents herein to relocate the Tower No.3/0 and to deviate the route of transmission lines, both proposed in the property of the petitioner herein situated at Cuddalore Registration, District Cuddalore Joint Sub Registration District-II, (Panchayat Union of Cuddalore) Arisiperiyangkuppam Village within Survey No.64/10, subdivided Survey No.64/10A2, measuring Ac.0.59 cents.

For Petitioner : Mr.D.Ravichander

For Respondents : Mr.R.Govindasamy,  
Special Government Pleader  
for R1  
Mr.Abdul Saleem,  
Standing Counsel for R2 to R4.

#### O R D E R

The petitioner is aggrieved against the order of the first respondent dated 24.01.2018, wherein and whereby, the objection raised by her against the installation of Tower No.3/0 in the petitioner's land at S.No.64/10 subdivided Survey No.64/10A2, measuring Ac.0.59 cents was rejected on the ground that the deviation of the route as suggested by the petitioner for erecting tower and drawing transmission line is not feasible.

2. Heard the learned counsel for the petitioner and the learned counsel appearing for the respondents.

3. It is the contention of the petitioner that by erecting such tower and drawing such power line at the petitioner's land, the value of the petitioner's land is diminished and therefore, the respondents have to relocate the tower and draw the power line through some other route. The said objection was considered by the 1<sup>st</sup> respondent in detail and found as not feasible. The 1<sup>st</sup> respondent has categorically found that only an extent of 350 sq.metre land will be affected insofar as the petitioner is concerned and that the authorities will pay compensation for the said land. It is also found by the 1<sup>st</sup> respondent, based on the objections raised by the petitioner as well as the remarks forwarded by the respondents, that the re-routing of the power line as suggested by the petitioner is not feasible.

4. Considering the fact that the drawing of power line and erection of tower are being made in respect of a big project and more particularly, when the other towers were already erected, this Court does not find any reason to interfere with the order passed by the 1<sup>st</sup> respondent, more particularly, when the technical feasibility to erect the towers and drawing the power lines is a matter which is absolutely within the domain of the technical experts belonging to the respondents, with which, this Court shall not normally interfere by expressing a different view. As the petitioner will be suitably compensated, this Court finds that the petitioner cannot have any grievance. No doubt, it is pointed out by the learned counsel for the petitioner that the very objection made by the petitioner as early as on 28.11.2016 was decided by the District Collector

only after nearly two years and therefore, the compensation payable cannot be a reasonable one.

5. Considering the fact that the petitioner made objection as early as on 28.11.2016, it is for the respondents to work out the quantum of compensation and pay the same to the petitioner by taking note of the guideline value as exists today, by following the relevant Government Order governing the said calculation. Accordingly, the writ petition fails and the same is dismissed with the above observations and directions. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Asst.Registrar (CS VIII)

/true copy/

Sub Asst. Registrar

vsi

To

1. The District Collector,  
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Corporation Ltd. (TANTRANSCO),  
Cuddalore Town,  
Cuddalore District.

+ 1 cc to Mr.D.Ravichander Advocate, SR.11615  
+ 1 cc to The Govt.Pleader, SR.12164

W.P.No.3165 of 2018

nr 05/03/2018