

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.02.2018
CORAM

THE HON'BLE Mr. JUSTICE K.RAVICHANDRABAABU

W.P.No.3264 of 2018
and
W.M.P.No.4006 of 2018

S.Narayanasamy

... Petitioner

Vs.

- 1.The District Collector,
Cuddalore District,
Cuddalore.
 2. The Superintending Engineer,
Tamil Nadu Generation and Distribution Corporation Limited,
Cuddalore & District.
 3. The Assistant Engineer,
Tamil Nadu Generation and Distribution Corporation Limited,
Sethiyathope,
Cuddalore District.
- ... Respondents

This writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus forbearing the respondents 2 and 3 from establishing 33/11 KV Substation in the petitioner's agricultural land in Survey No.238/1 situated at Keezh Valaiyamadevi Village, Bhuvanagiri Taluk, Cuddalore District.

For Petitioner : Mr.S.Kanmani

For Respondents : Mr.R.Govindasamy,
Special Government Pleader for R1
Mr.M.Varunkumar, Standing Counsel for R2 & 3

ORDER

Mr.R.Govindasamy, learned Special Government Pleader takes notice for the first respondent and Mr.M.Varunkumar, learned Standing Counsel takes notice for the second and third respondents. By consent of the parties, the main writ petition is taken up for final disposal.

2. The petitioner seeks for a mandamus forbearing the second and third respondents from establishing 33/11 KV Substation in

the petitioner's agricultural land in Survey No.238/1 situated at Keezh Valaiyamadevi Village, Bhuvanagiri Taluk, Cuddalore District.

3. Heard both sides.

4. According to the petitioner, the proposed action of the second and third respondents in establishing a sub-station in the petitioner's agricultural land would cause great hardship and damage to the petitioner's property. Ventilating such grievance, the petitioner has made a representation on 05.02.2018 to the first respondent. Therefore, it is for the first respondent to consider such objection and pass orders on merits and in accordance with law as empowered under Section 16 of the Indian Telegraph Act. Therefore, without expressing any view on the merits of claim made by the petitioner, the writ petition is disposed of by directing the first respondent to consider the representation of the petitioner and pass orders on merits, after hearing the petitioner as well as the second and third respondents. Such exercise shall be done by the first respondent within a period of four weeks from the date of receipt of a copy of this order. Till an order is passed by the first respondent, the second and third respondents are directed to maintain status quo as on today. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

vsi

To

- 1.The District Collector,
Cuddalore District,
Cuddalore.
2. The Superintending Engineer,
Tamil Nadu Generation and Distribution Corporation Limited,
Cuddalore & District.
3. The Assistant Engineer,
Tamil Nadu Generation and Distribution Corporation Limited,
Sethiyathope,
Cuddalore District.

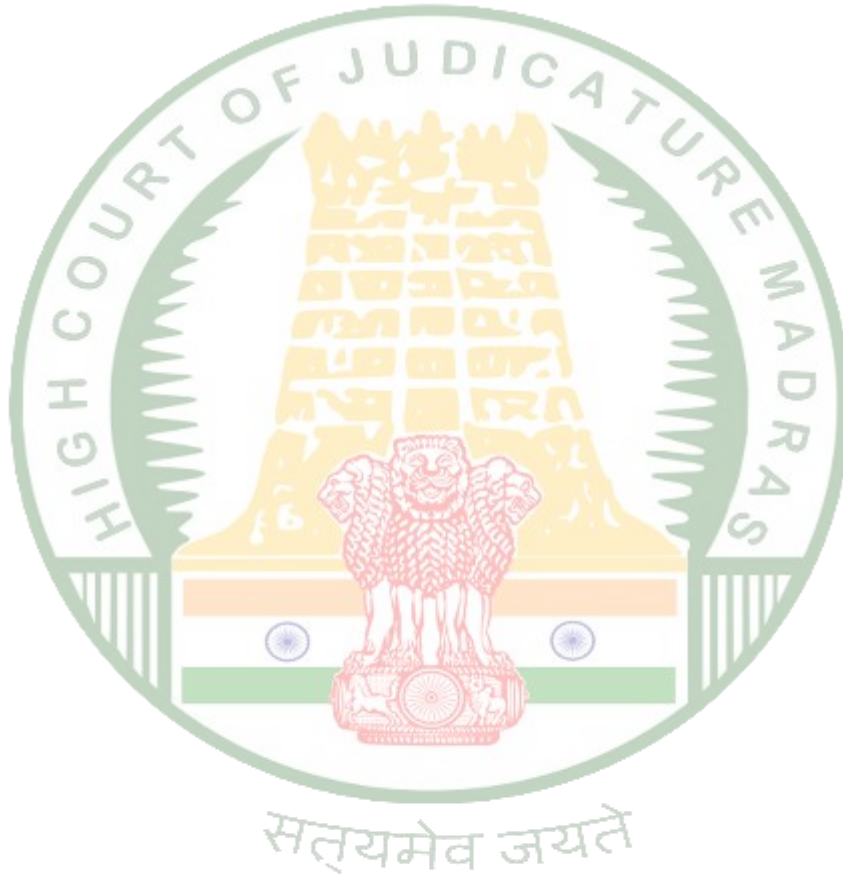
+1cc to Mr.S.Kanmani, Advocate, S.R.No.11471

+1cc to Mr.M.VarunKumar, Advocate, S.R.No.11516

+1cc to the Government Pleader, S.R.No.11760

W.P.No.3264 of 2018

RRK(16/02/2018)



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