

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.09.2018

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THE HONOURABLE MR. JUSTICE R.MAHADEVAN

W.P.No.27273 of 2017

and

W.M.P.No.29125 of 2017

1.C.Balasubramanian

2.R.Chitralekha

.. Petitioners

Vs

1.The District Collector,
Collectorate Buildings,
Erode.

2.The Assistant General Manager,
Power Grid Corporation India Ltd.,
K.R.Thoppu,
Konnakapadi,
Karukkalvadi Village,
Tharamangalam Via.,
Omalur Taluk, Salem District.

3.The Chief Engineer,
Power Grid Corporation India Ltd.,
17/7, Vivekanandar Street,
Nasianoor Road, Erode.

4.The Union of India,
Rep.by its Secretary,
Ministry of Powers,
Shram Shakti Bhawan, सत्यमेव जयते
Rafi Marg, New Delhi - 110 001.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of mandamus, to direct the 1st respondent to consider the representation of the petitioners dated 28.10.2016, with respect to fix the compensation towards damages being caused by erecting electric transmission towers and drawing high voltage transmission lines in and across their lands situated at Survey Nos. 492/9, 492/12, 492/10 to an extent of Punjai Hectare 0.82.0 and Survey No.492/8 to an extent of 0.80 cents situated at Chennasamudram Village, Periaavattam Post, Kodumudi, Erode District respectively and issue directions to the 2nd respondent to pay the compensation and pass necessary

orders in the light of the guidelines issued by the Government of India Ministry of Power, New Delhi in the letter dated 20.10.2015, within the time that may be fixed by this Court.

For Petitioners : Mr.N.Umapathi

For Respondents : Mr.J.Ramesh

Additional Government Pleader for R1

Mr.N.Rajan

Senior Central Government

Standing Counsel for R4

O R D E R

The prayer sought for in this writ petition is to direct the first respondent to consider the representation of the petitioners dated 28.10.2016 and for consequential relief.

2. In the said representation, the petitioners claimed adequate compensation for the damages caused due to erection of transmission lines in their lands in Survey Nos. 492/9, 492/12, 492/10 to an extent of 0.82.0 Hectare and Survey No.492/8 to an extent of 0.80 cents situated at Chennasamudram Village, Periaavattam Post, Kodumudi, Erode District. However, the said claim was not considered by the authority concerned so far. Hence, this writ petition.

3. When the matter is taken up for consideration, the learned counsel appearing for the petitioners fairly submitted that the transmission towers had already been erected in the above said lands and hence, the petitioners may be permitted to approach the authority concerned for compensation towards damages caused due to said erection.

4. The learned counsel appearing for the respondents have no objection for such relief.

5. Considering the facts and circumstances of the case and having regard to the submissions made by the learned counsel on either side, this Court disposes this writ petition, granting such liberty to the petitioner as prayed for. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-IX)

//True Copy//

Sub Assistant Registrar

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To

- 1.The District Collector,
Collectorate Buildings,
Erode.
- 2.The Assistant General Manager,
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K.R.Thoppu,
Konnakapadi,
Karukkalvadi Village,
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Rep.by its Secretary,
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Rafi Marg, New Delhi - 110 001.

+1cc to Mr. N.Umapathi Advocate, S.R.No. 27273
+1cc to the Government Pleader, S.R.No. 62995

W.P.No.27273 of 2017
and
W.M.P.No.29125 of 2017

PVS (CO)
GN(04/10/2018)

सत्यमेव जयते

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