

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.07.2018

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.17229 of 2018 and
W.M.P.No.20503 of 2018

M/s.Nemi Estates,
rep by its Managing Partner
J.Vijay Surana
Office at No.2, Aravamuthu Garden Street,
Egmore, Chennai - 600 008. .. Petitioner

Vs.

- 1.The District Collector,
Thiruvallur District,
Thiruvallur.
- 2.The Superintendent Engineer,
General Construction Circle - II,
Chennai - 32.
- 3.The Director,
Transmission Projects,
No.144, Anna Salai, Chennai - 600 002. ... Respondents

Petition under Article 226 of the Constitution of India,
praying for the issue of a Writ of Mandamus, to consider the
representation dated 01.07.2018 directing the respondents to
remove the High Tension Electric Line Tower erected in the
petitioner's lands comprised in S.No.538/2A situated at Nemam
Village, Poonamallee Taluk, Thiruvallur District.

For Petitioner : Mr.R.Singaravelan, Senior Counsel
for M/s.C.Veeraraghavan

For Respondents: Mr.V.Jayaprakash Narayanan,
Special Government Pleader (R1)

Mr.Abdul Saleem,
Standing Counsel (R2 & R3)

O R D E R

The petitioner claims to be the owner of land covered in
S.No.538/2A situated at Nemam Village, Poonamallee Taluk,
Thiruvallur District by virtue of a registered Sale Deed dated
16.02.2017 bearing Document No.993 of 2017. As the land in
question is an agricultural land purchased under the
registered Sale Deed, since the purchase, the petitioner is in

possession and peaceful enjoyment of the same by cultivating in it.

2.The learned senior counsel appearing for the petitioner submitted that the respondents 2 & 3 have taken steps to install High Tension Power lines of 400 K.W. for transmission of electricity through the petitioner's agricultural land. After knowing the same, the petitioner had given a representation to the 1st respondent on 01.07.2017 to redress their grievance. Sadly, without even considering the representation of the petitioner, the respondents 2 & 3 are proceeding with the erection of the power lines.

3.The learned standing counsel appearing for the respondents 2 & 3 submitted that till date no erection work has been commenced. However, direction be issued to the 1st respondent to consider the pending representation of the petitioner and pass appropriate orders.

4.The learned Special Government Pleader appearing for the 1st respondent sought sufficient time to pass orders on the pending representation of the petitioner.

5.Placing on record the request made by the learned Special Government Pleader, the 1st respondent is hereby directed to consider the representation of the petitioner, by conducting enquiry, after giving notice to the petitioner and also the respondents 2 & 3 and pass appropriate orders within a period of two weeks.

6.The parties are directed to maintain status-quo till then.

7.With the above directions, the Writ Petition is disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

va

To

1.The District Collector,
Thiruvallur District,
Thiruvallur.

<https://hcservices.ecourts.gov.in/hcservices/>

2.The Superintendent Engineer,
General Construction Circle - II,
Chennai - 32.

3.The Director,
Transmission Projects,
No.144, Anna Salai, Chennai - 600 002

+2cc to Mr.C.Veerarghavan, Advocate SR.No.44780
+1cc to Government Pleader SR.No.45324

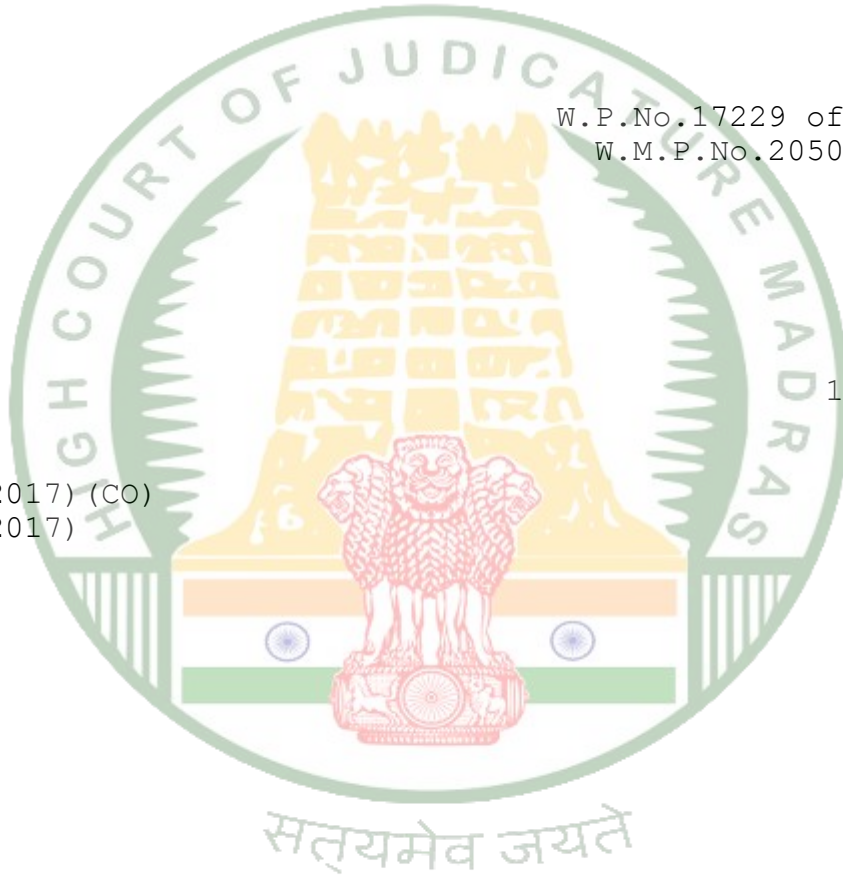
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10.07.2018

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