

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.07.2018

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P. No.17336 of 2018

G.Krishnasamy

.. Petitioner

-vs-

1.The District Collector,
Dharmapuri District,
Dharmapuri.

2.The Superintendent Engineer,
Dharmapuri Electricity Distribution Circle,
TANGEDCO, Dharmapuri-630 705.

3.The Superintendent Manager,
Public Works Division,
Attur Main Road,
Kamarajar Nagar Colony,
Salem-14.

4.The Tahsildar,
Nallampalli Taluk,
Dharmapuri District.

... Respondents

Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the first respondent to dispose of the representation of the petitioner dated 19.03.2018.

For Petitioner :: Mr.M.Selvam

For Respondents:: Mr.S.N.Parthasarathy,
Government Advocate
for R1, 3 and 4
Mr.Abdulsaleem,
Standing Counsel for R2

ORDER

The petitioner has come to this Court seeking a direction to the first respondent to dispose of his representation dated 19.03.2018.

2.The petitioner claims to be an agriculturist, owning a land to an extent of 3 acres in S.No.407 of Old Indur Village, Nathanahalli, Nallampalli Taluk, Dharmapuri District and he has been cultivating cotton in the said land and apart from the same, he had many coconut trees, neem trees, palm trees etc. While so, the second respondent was executing a project to erect 400 KV Line from Mettur Thermal Power Project Stage III to Thiruvalam 400 KVSS. This project involves laying over head power cable with the help of massive towers. For the purpose of laying tower, respondents 2 and 3 have acquired lands through agricultural lands in his village. Now a tower has been placed in his land by acquiring an extent of 10 sq.ft. of agricultural land and the respondents also entered upon his land and caused extensive damage to the crops. Apart from the same, respondents 2 and 3 have acquired a piece of land and erected a tower and several trees namely coconut, neem, palm, avizhi, murungai were also cut down by the respondents. Though the petitioner has suffered huge loss due to the said act, the respondents have paid a meagre amount as compensation for the loss suffered by him. Since the amount of compensation is not sufficient, the petitioner gave a representation dated 19.03.2018 to the first respondent. Finding no response, he is before this Court seeking the above said prayer.

3.Since the grievance placed before this Court shows that a tower has been placed in the petitioner's land by acquiring an extent of 10 sq.ft. of agricultural land so as to execute a project to erect 400 KV Line from Mettur Thermal Power Project Stage III to Thiruvalam 400 KVSS, a reasonable compensation has to be paid to the petitioner. Therefore, the District Collector, the first respondent is directed to consider the representation made by the petitioner, on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

4.Accordingly, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-IX)

//True Copy//

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Sub Assistant Registrar

vga

To

1.The District Collector,
Dharmapuri District,
Dharmapuri.

2.The Superintendent Engineer,
Dharmapuri Electricity Distribution Circle,
TANGEDCO, Dharmapuri-630 705.

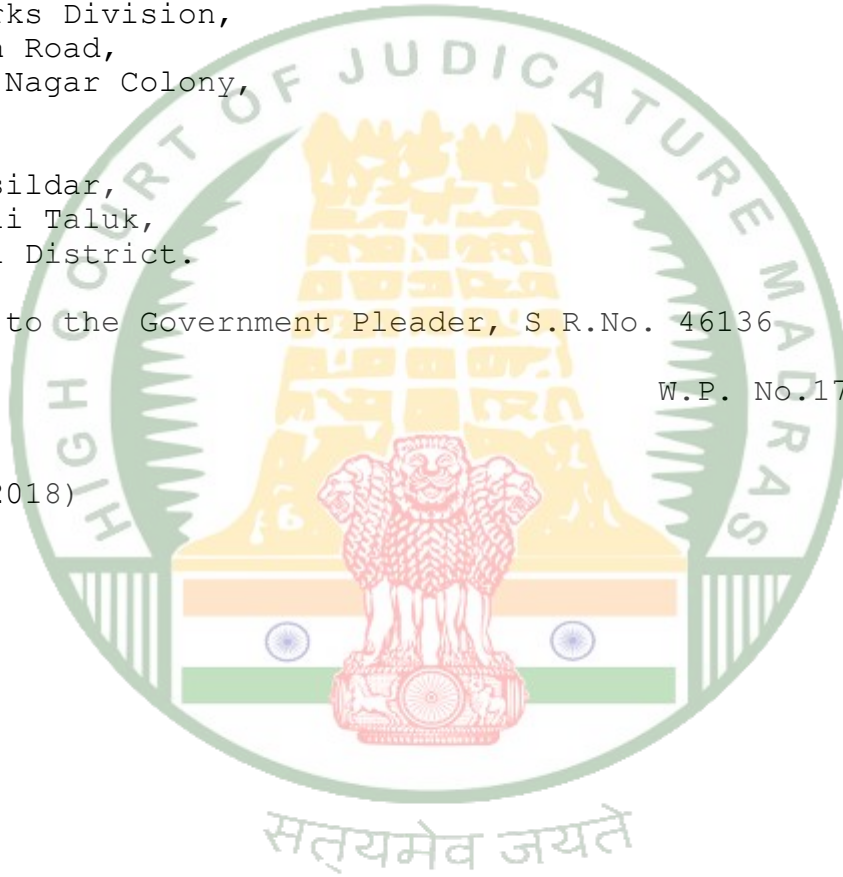
3.The Superintendent Manager,
Public Works Division,
Attur Main Road,
Kamarajar Nagar Colony,
Salem-14.

4.The Tahsildar,
Nallampalli Taluk,
Dharmapuri District.

+1cc to the Government Pleader, S.R.No. 46136

W.P. No.17336 of 2018

GJ II(CO)
TR(25/07/2018)



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