

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED :23.08.2018
CORAM
THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM
W.P.Nos.26002 & 26003 of 2013

Saraswathy

..Petitioner in both W.Ps

vs

1.The Chairman,
Tamilnadu Electricity Board,
No.800, Anna Salai,
Chennai - 600 002.

2.The Superintending Engineer,
Hydro Electric Project,
TNEB,
Vendipalayam,
Erode - 638 002.

3.The Executive Engineer/Civil,
Bhavanai Barrage, HEP,
TNEB,
Samayapuram,
Mettupalayam,
Nellithurai Post,
Mettupalayam Taluk,
Coimbatore District.

4.The Tahsildar,
Taluk Office,
Mettupalayam,
Coimbatore District.

..Respondents in both W.Ps

Prayer in W.P.No.26002 of 2013: Writ petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus, directing the respondents 1 to 3 herein to pay the compensation for the 20 cents of lands in S.F.Nos.329 and 330 situate at Nellithurai Village, Mattupalayam Taluk, Coimbatore District belonging to the petitioner together with interest wherein the Respondents 1 to 3 herein have put up constructions.

Prayer in W.P.No.26003 of 2013: Writ petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus, directing the Respondents 1 to 3 herein to put up Concrete Wall to prevent Soil erosion in S.F.Nos.329 and 330 situate at at Nellithurai Village, Mattupalayam Taluk, Coimbatore District belonging to the petitioner.

For Petitioner : Mr.K.Govi Ganesan(in both W.Ps)

For Respondents : Mr.S.K.Rameshwar for R1 to R3
(in both W.Ps)
Mr.A.Rajaperumal, AGP for R4(in both W.Ps)

C O M M O N O R D E R

The relief sought for in these writ petitions is for a direction to the respondents 1 to 3, to pay the compensation for the 20 cents of lands in S.F.Nos.329 and 330 situate at Nellithurai Village, Mattupalayam Taluk, Coimbatore District belonging to the petitioner together with interest wherein the Respondents 1 to 3 have put up constructions and to direct the respondents 1 to 3 to put up Concrete Wall to prevent Soil erosion in S.F.Nos.329 and 330 situate at at Nellithurai Village, Mattupalayam Taluk, Coimbatore District belonging to the petitioner.

2.The learned counsel appearing on behalf of the writ petitioner states that the 3rd respondent/Executive Engineer, filed a counter affidavit, which states as follows:

"Necessary arrangement will be made to acquire the eroded portion of lands in SF No.329/1 as per the area assessed by the Revenue Authorities with due compensation for the uprooted crops as per LA act. No construction has been put up in SF No.329 & 330 as stated by the petitioner and due to the objection the protection wall construction has been stopped in SF No.325 itself."

3.In view of the statement made in the counter affidavit, the learned counsel for the petitioner states that no further adjudication is necessary in respect of the relief sought for in these writ petitions.

4.Accordingly, both the writ petitions stand closed. However, there shall be no order as to costs.

kak

Sd/-

Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

To

1.The Chairman,
Tamilnadu Electricity Board,
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Nellithurai Post,
Mettupalayam Taluk,
Coimbatore District.

4.The Tahsildar,
Taluk Office,
Mettupalayam,
Coimbatore District.

+2cc to M/s.K.Govi Ganesan, Advocate SR.NO.57788, 57787

VD(CO)
sm:11.9.2018

W.P.Nos.26002 & 26003 of 2013

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