

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED :10.12.2018
CORAM
THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM
W.P.Nos.32143, 32152, 32161 & 32163 of 2018
and
W.M.P.Nos.37402, 37416, 37417, 37420, 37421 of 2018

M.Maadhaiyan

..Petitioner in W.P.No.32143/2018

C.Govindasamy

..Petitioner in W.P.No.32152/2018

M.Maadhu

..Petitioner in W.P.No.32161/2018

1.K.Vediyappan

2.M.Krishnan

3.V.Marimuthu

..Petitioners in W.P.No.32163/2018

vs

1.The District Collector,
Dharmapuri District,
Dharmapuri.

2.The Assistant General Manager,
Power Grid Corporation of India,
Tirupattur HVDC TLC,
No.185, TNHB Phase-II,
Dharmapuri Main Road,
Tirupattur - 635 601.

..Respondents in all W.Ps

Prayer in W.P.No.32143 of 2018: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 1st respondent to consider the representation of the petitioner dated 29.09.2018 on merits after giving the opportunity to the petitioner herein within a stipulated time frame and consequently direct the Respondents herein to maintain the status quo till the disposal of the petitioner's representation dated 29.09.2018 in S.F.Nos:344/3E, 344/3K, 345/3, 345/5 & 345/9 of Periyanahalli Revenue Village, Karimangalam Taluk, Dharmapuri District.

Prayer in W.P.No.32152 of 2018: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 1st respondent to consider the representation of the petitioner dated 14.08.2018 on merits after giving the opportunity to the petitioner herein within a

stipulated time frame and consequently direct the Respondents herein to maintain the status quo till the disposal of the petitioner's representation dated 14.08.2018 in S.F.Nos:80/2A3 & 634/1H1 of Adilam Revenue Village, Karimangalam Taluk, Dharmapuri District.

Prayer in W.P.No.32161 of 2018: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 1st respondent to consider the representation of the petitioner dated 17.10.2018 on merits after giving the opportunity to the petitioner herein within a stipulated time frame and consequently direct the Respondents herein to maintain the status quo till the disposal of the petitioner's representation dated 17.10.2018 in S.F.Nos:496/3, 668/18 & 668/19 of Kalappanahalli Revenue Village, Karimangalam Taluk, Dharmapuri District.

Prayer in W.P.No.32163 of 2018: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 1st respondent to consider the representation of the petitioner dated 22.10.2018 on merits after giving the opportunity to the petitioner herein within a stipulated time frame and consequently direct the Respondents herein to maintain the status quo till the disposal of the petitioner's representation dated 22.10.2018 in S.F.Nos:247/1B1, 341/3, 342/5, 281/1, 282/1 & 281/3 of Periyanaahalli Revenue Village, Karimangalam Taluk, Dharmapuri District.

For Petitioners : M/s.Va Vu Si Vazhakagam(in all W.Ps)

For Respondents: Mr.Akhil Akbar Ali, GA for R1(in all W.Ps)

Mr.Jayesh Dolia
for M/s.Aiyar & Dolia for R2
(in all 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 direct the 1st respondent to consider the representations of the petitioners dated 29.09.2018, 14.08.2018, 17.10.2018, 22.10.2018 on merits after giving the opportunity to the petitioners herein within a stipulated time frame and consequently to direct the Respondents herein to maintain the status quo till the disposal of the petitioners representations dated 29.09.2018, 14.08.2018, 17.10.2018, 22.10.2018 in S.F.Nos:344/3E, 344/3K, 345/3, 345/5 & 345/9 of Periyanaahalli Revenue Village, Karimangalam Taluk, Dharmapuri District, S.F.Nos:80/2A3 & 634/1H1 of Adilam Revenue Village, Karimangalam Taluk, Dharmapuri District, S.F.Nos:496/3, 668/18 & 668/19 of

Kalappanahalli Revenue Village, Karimangalam Taluk, Dharmapuri District and S.F.Nos:247/1B1, 341/3, 342/5, 281/1, 282/1 & 281/3 of Periyanaahalli Revenue Village, Karimangalam Taluk, Dharmapuri District.

2.The learned counsel for the writ petitioners state that their right of property is going to be taken away by the respondent / Power Grid Corporation of India. The petitioners are the agriculturists and they are performing the agricultural activities in the entire location. The respondents have proposed to commission transmission lines / poles through the agricultural lands belong to the writ petitioners. Such a policy is now objected by the farmers of that locality. In some of the cases, the District Collector had already passed orders and such orders are challenged before this Court and this Court has already considered all the issues involved in the matter of commissioning of Power transmission towers in that locality in writ petition in W.P.No.30124 of 2018 dated 07.12.2018.

3.In view of the orders passed in the writ petition cited supra, the case of the writ petitioners also shall be considered by the District Collector on merits and in accordance with law. It is needless to mention that the District Collector has to provide an opportunity to the aggrieved persons and the aggrieved persons also shall avail the opportunities and furnish their statements or documents before the District Collector, enabling the District Collector to pass orders on merits and in accordance with law. In view of the fact that this Court had elaborately discussed the issues in the earlier writ petition, the District Collector shall consider the observations made in the earlier writ petition also.

4.Accordingly, the 1st respondent / The District Collector is directed to consider the representations of the petitioners in the light of the orders passed in W.P.No.30124 of 2018 dated 07.12.2018, within a period of four weeks from the date of receipt of a copy of this order. The writ petitioners are also directed to submit a copy of the representation and all other relevant documents, if any, along with the orders passed in the writ petition.

5.With these directions, all the writ petitions stand disposed of. However, there shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

To

1.The District Collector,
Dharmapuri District,
Dharmapuri.

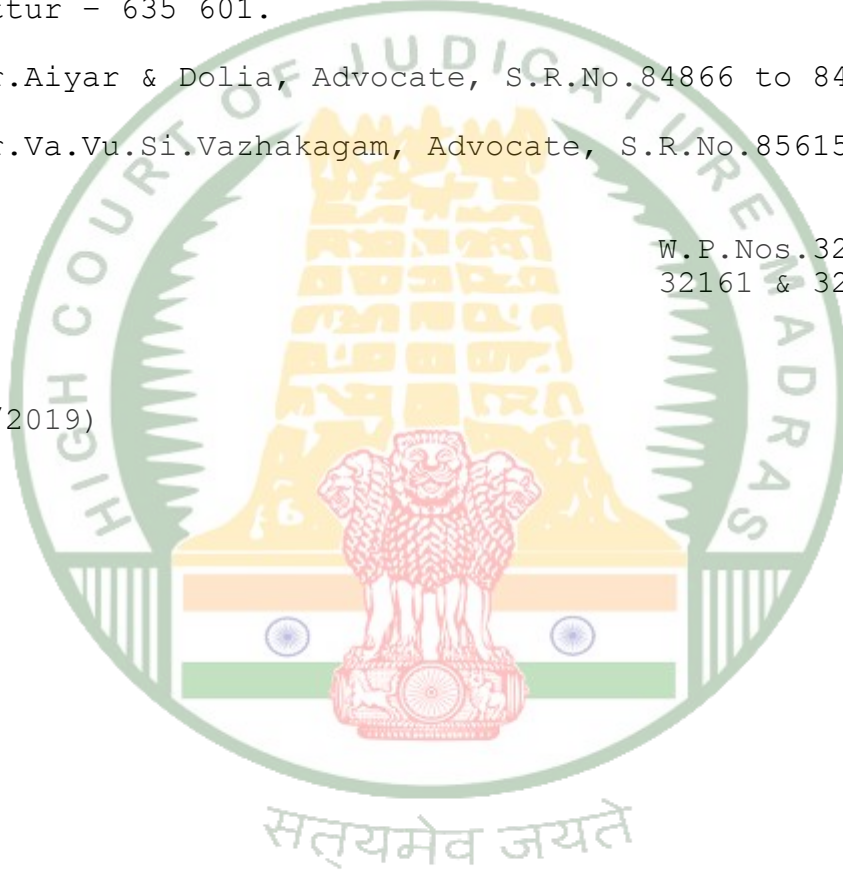
2.The Assistant General Manager,
Power Grid Corporation of India,
Tirupattur HVDC TLC,
No.185, TNHB Phase-II,
Dharmapuri Main Road,
Tirupattur - 635 601.

+3cc to Mr.Aiyar & Dolia, Advocate, S.R.No.84866 to 84868

+3cc to Mr.Va.Vu.Si.Vazhakagam, Advocate, S.R.No.85615 to 85617

W.P.Nos.32143, 32152,
32161 & 32163 of 2018

AK(CO)
GSP(09/01/2019)



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