

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.09.2019

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.10464 of 2012

Minor U.K.Aadhityaa
rep.by his mother and natural
guardian Rajeswari
residing at No.632, N.P.S.Nagar
Ayakkadu, Kadachanallur
Tiruchengodu Taluk
Namakkal District

...Petitioner

-vs-

1. The District Collector
Namakkal District, Namakkal
2. The Revenue Divisional Officer
Tiruchengodu, Namakkal District
3. The Superintending Engineer
Tamil Nadu Electricity Board
(Tower Line Construction)
Kamaraj Nagar Colony
Athur Bye-Pass Road
Udayarpatti, Salem-14
4. The Junior Engineer
Tamil Nadu Electricity Board
(Tower Line Construction)
Sanniyasipatti, Sangagiri
Namakkal District

..Respondents

Petition under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, to call for the records relating to the order passed by the first respondent herein in Na.Ka.14134-2011(H2) dated 22.3.2012 quash the same, further direct the respondents 1 to 4 herein not to put up High Tension Electrical Energy Tower and draw High Tension Electrical Energy Wire in the petitioner land of an extent of 2.28 acres at Kadachanallur Village comprised in S.No.126/10 and comprised in S.No.125/1 measuring an extent of 2.86 acres within Tiruchengode Taluk, Namakkal District.

For Petitioner :: Mr.T.L.Thirumalaisamy

For Respondents :: Mrs.P.Rajalakshmi
Additional Government Pleader
for R1 & 2

Mr.Abdul Saleem
Standing Counsel for R3 & 4

ORDER

This writ petition has been filed seeking issuance of a writ of certiorarified mandamus to call for the records relating to the order passed by the first respondent herein in Na.Ka.14134-2011(H2) dated 22.3.2012, quash the same with a consequential direction to the respondents 1 to 4 herein not to put up High Tension Electrical Energy Tower and draw High Tension Electrical Energy Wire in the petitioner's land to an extent of 2.28 acres at Kadachanallur Village comprised in S.No.126/10 and comprised in S.No.125/1 measuring an extent of 2.86 acres within Tiruchengode Taluk, Namakkal District.

2. When the matter was taken up, the learned counsel for the petitioner fairly stated that the respondents have completed the work by erecting high tension towers, however, they have not paid any compensation. Therefore, the petitioner may be given liberty.

3. On the other hand, learned standing counsel for the respondents 3 & 4, referring to the last paragraph of the counter affidavit filed by the second respondent, stated that after completion of the work, damages were assessed and the compensation amount of Rs.55,116/- was paid to the petitioner on 12.6.2012 by the Electricity Board in the presence of the Village Administrative Officer, Kadachanallur Village, Tiruchengode and the Electricity Board further proceeded with the work on 30.3.2012 and completed the entire work in all respects on 8.4.2012 and the line was also charged with the electric power supply on the same day. Now it is a live wire. The completion of work and energisation of line were informed to the District Collector, Namakkal vide Superintending Engineer, TLC, Salem's letter No.529 dated 9.4.2012.

4. In view of the above, since the petitioner has not filed any application during the pendency of the writ petition indicating the damages, if any, caused to the crop etc., nothing survives in the matter. Accordingly, the writ petition is

dismissed. Consequently, M.P.No.1 of 2012 is also dismissed. No costs.
ss

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

To

1. The District Collector
Namakkal District
Namakkal
2. The Revenue Divisional Officer
Tiruchengodu
Namakkal District
3. The Superintending Engineer
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Udayarpatti, Salem-14
4. The Junior Engineer
Tamil Nadu Electricity Board
(Tower Line Construction)
Sanniyasipatti, Sangagiri
Namakkal District

+1cc to Mr.T.C.Thirumalaisamy, Advocate, SR.No.80897
+1cc to Mr.Abdul Saleem, Advocate, SR.No.81514
+1cc to the Govt.Pleader, Vide Sr.No.81602

W.P.No.10464 of 2012

Kak(31/10/2019)

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