

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.09.2019

CORAM:

THE HON'BLE MR. JUSTICE T.RAJA

W.P.No.12765 of 2012

R.Renukadevi

.. Petitioner

Vs

1.The Assistant Engineer,
Tamil Nadu Electricity Board,
Korattur, Chennai – 50.

2.The District Magistrate and
District Collector,
Tiruvallur District. Tiruvallur.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking a writ of certiorarified mandamus to call for the entire records connected with the impugned order of the second respondent made in R.C.19040/2011/M2, dated 21.03.2012 and quash the same and consequently, direct the respondents to take the high voltage electric transmission overhead line in an alternative route without taking the same through and over the petitioner's housing site over the land in Plot No.40 of an extent of 1750 sq.ft. Comprised in S.No.114 in Ayathur Village in Thiruvallur Taluk, Thiruvallur District in an approved layout named, "Sri Selva Vignesh Avenue" and remove the foundation laid for erection of the towers in the petitioner's above-said lands.

For petitioner : Mr.S.Ravi
For R1 : Mr.Abdul Saleem, Sanding Counsel
For R2 : Mr.D.Raghu, GA

ORDER

The writ petition is directed against the impugned proceedings dated 21.03.2012 of the second respondent/District Magistrate and District Collector, Tiruvallur, overruling the request of the petitioner and directing the SE, GCC, TANTRANSCO to lay Tower No.79A/0 as per the existing alignment in S.No.114/8 of Ayathur Village, Tiruvallur Taluk, and draw power transmission lines.

2. It is the claim of the petitioner that the petitioner is the owner of the property bearing Plot No.40, having an extent of 1750 sq.ft. comprised in S.No.114 in Ayathur Village in Thiruvallur Taluk and on 26.06.2011, when she visited the said property, she noticed the basement put up by the first respondent Board to erect tower to take high voltage electric transmission line over the said plot. Therefore, she made a representation dated 28.06.2011 requesting them to drop the proposal and stop all further works, however, the second respondent, vide impugned proceedings dated 21.03.2012, rejected her request and directed

first respondent Board to lay the tower in the plot in question.

3. At this stage, learned Standing Counsel appearing for the first respondent Board, placing reliance on the proceedings dated 27.09.2019 of the Executive Engineer, Guindy, Chennai, addressed to him, submitted that the entire work has already been completed in the years 2014 and 2016 itself. For better appreciation, relevant portion of the same is extracted below:-

<i>Sl.No.</i>	<i>Feeder Name</i>	<i>Date of commissioning</i>	<i>Petitioner</i>
1.	NCTPS – SVC-I, Alamathy – SVC-I	12.03.2014	Renuka Devi / W.P.No.12765/2012
2.	NCTPS – SVC-II Alamathy – SVC -II	17.03.2016	Pole No.79/A/0

4. In view of the above, as first the respondent Board, after the erecting the tower, has already commissioned the transmission lines on 12.03.2014 and 17.03.2016 itself, nothing survives in the writ petition and accordingly, it is dismissed as infructuous.

27.09.2019

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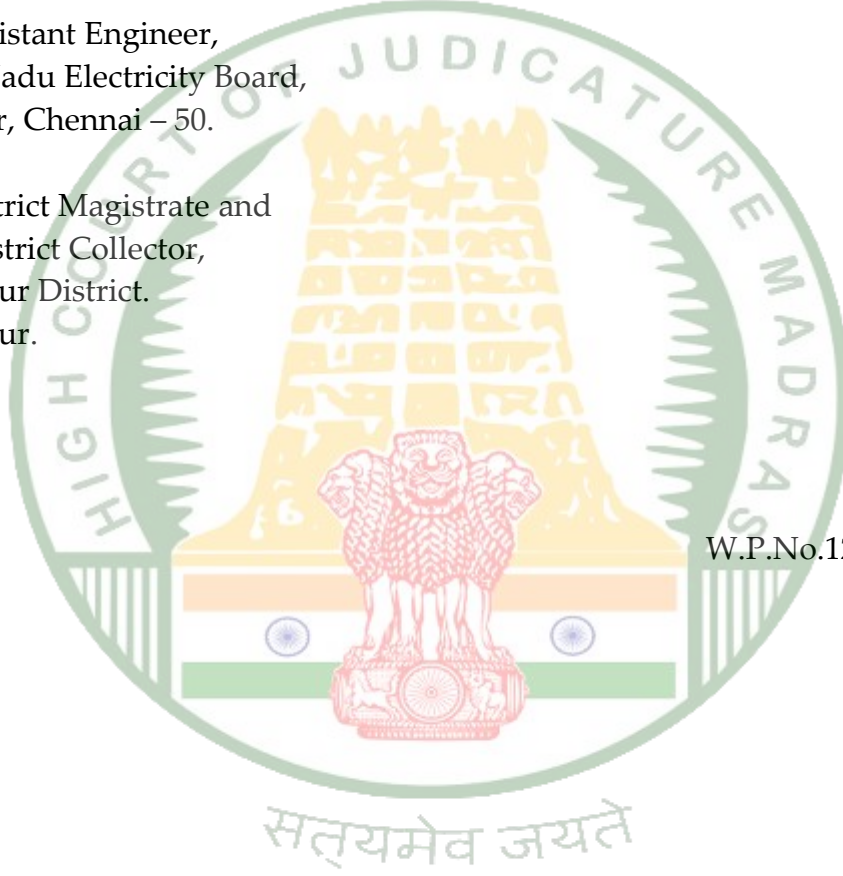
T.RAJA, J.

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To

1.The Assistant Engineer,
Tamil Nadu Electricity Board,
Korattur, Chennai – 50.

2.The District Magistrate and
District Collector,
Tiruvallur District.
Tiruvallur.



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