

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.07.2019

CORAM

THE HONOURABLE Mr.JUSTICE M.DHANDAPANI

W.P. 37073 of 2007

and

M.P.1 of 2007

1. K.Kamalakkannan
2. R.M.Jeyamurugan
3. M.Nalla Perumal

... Petitioners

Vs

1. The Superintendent Engineer,
Tatabad,
Coimbatore.
2. The Executive Engineer,
Wind Mill Energy Department Circle,
Tamil Nadu Electricity Board,
No.15, 15-A, Kumaralingam Road,
Udumalpet-642 154.
Coimbatore Dt.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents to consider and pass orders on the application of the petitioners dated 14.11.2007.

For Petitioner : Ms.P.T.Ramadevi

For Respondents: Mr.P.R.Dilipkumar,

Standing Counsel for T.N.E.B.

for R2

O R D E R

This Writ Petition has been filed seeking a direction directing the respondents to consider and pass orders on the application of the petitioners dated 14.11.2007.

2. Ms.P.T.Ramadevi, learned counsel appearing for the petitioner would submit that the petitioners have filed this Writ Petition before this Court for considering their objections dated 14.11.2007 objecting for erection of wind mill, besides, the petitioners have also filed a suit in O.S.No.376 of 2007

against one M/s.Shubh Realty (South) Pvt. Ltd. for irrigation of the wind mill adjacent to the petitioners' land. However, the prayer sought in the Writ Petition and in the suit are similar in nature. Hence, she prayed to pass appropriate orders.

3. In view of the above, once the petitioners have approached the civil forum, the filing of Writ Petition before this Court is unsustainable one. Hence, I am not inclined to pass any order in the Writ Petition. However, the liberty is granted to the petitioners to work out their remedy in the manner known to law. Accordingly, this Writ Petition stands disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

rpp

To

1. The Superintendent Engineer,
Tatabad,
Coimbatore.
2. The Executive Engineer,
Wind Mill Energy Department Circle,
Tamil Nadu Electricity Board,
No.15, 15-A, Kumaralingam Road,
Udumalpet-642 154.
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+1cc to Mr.P.T.Ramadevi, Advocate, S.R.No. 56185

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JP(CO)
GN(06/08/2019)