

IN THE HIGH COURT OF JUDICATURE AT MADRAS

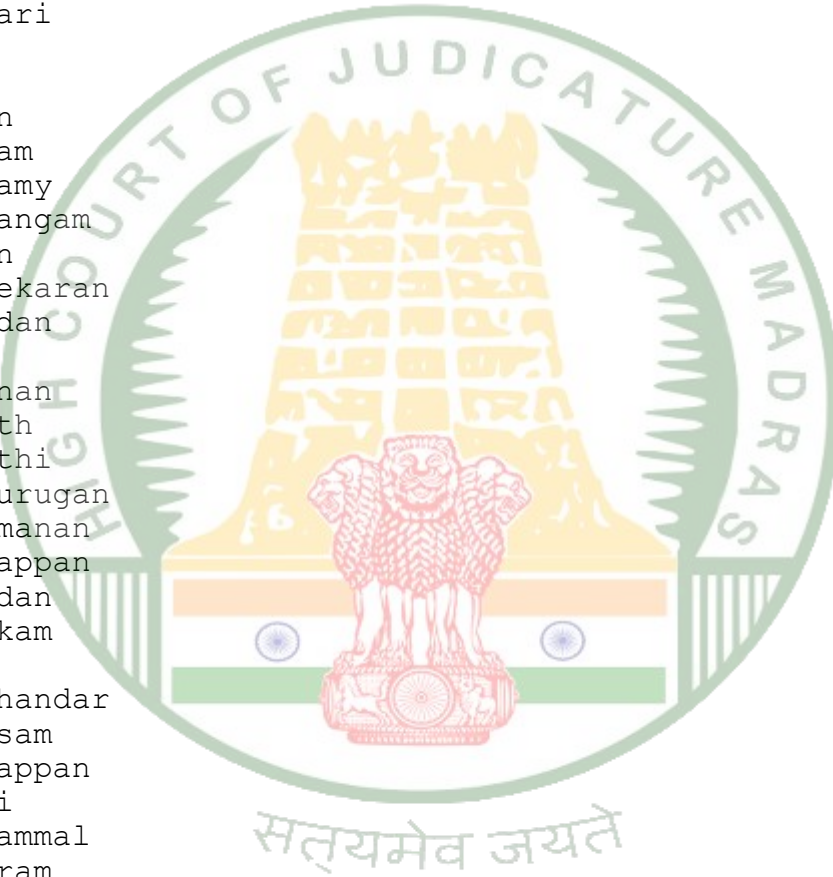
DATED:28.01.2019

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

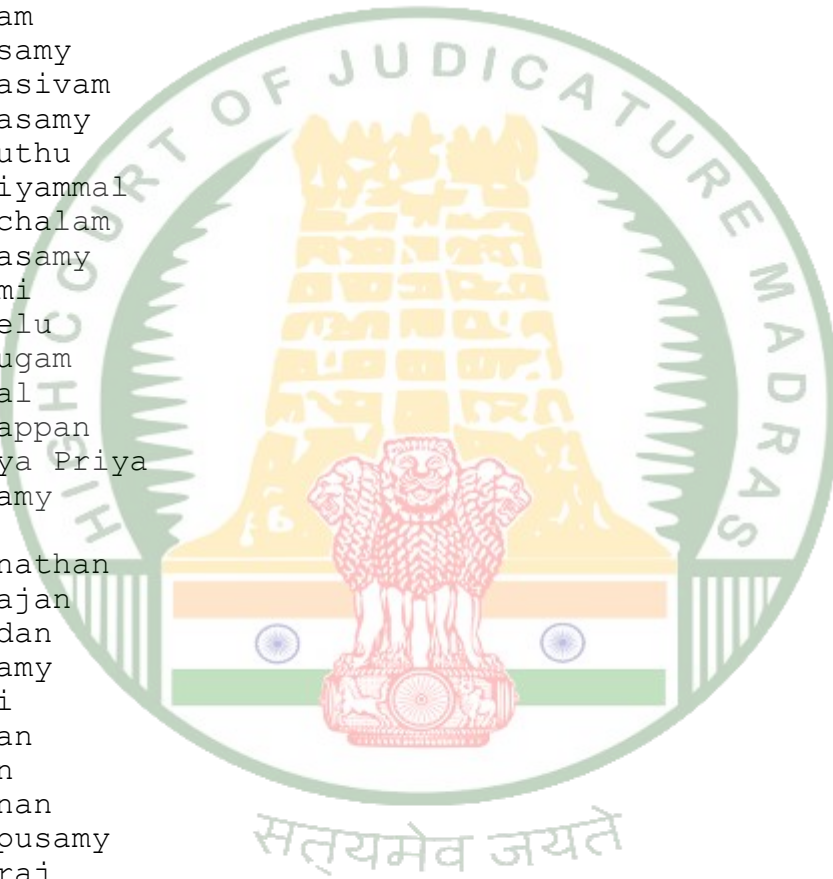
Crl.O.P.No.2091 of 2019

- 1.E.Goundappan
- 2.A.Rajeswari
- 3.G.Eswari
- 4.P.Madhu
- 5.P.Natesan
- 6.N.Arumugam
- 7.N.Muthusamy
- 8.Chinnathangam
- 9.P.Arangan
- 10.K.Gunasekaran
- 11.K.Govindan
- 12.S.Alavi
- 13.R.Ramannan
- 14.P.Prapath
- 15.V.Parvathi
- 16.V.Balamurugan
- 17.P.Lakshmanan
- 18.E.Pachiappan
- 19.E.Govindan
- 20.A.Manickam
- 21.E.Kasi
- 22.K.Balachandar
- 23.K.Prakasam
- 24.E.Pachiappan
- 25.R.Eswari
- 26.G.Thaiyammal
- 27.A.Sundaram
- 28.A.Duraisamy
- 29.N.Arthanari
- 30.P.Kathannan
- 31.P.Ammaiyappan
- 32.P.Sithayee
- 33.M.Chinnasamy
- 34.C.Murugesan
- 35.K.Thailammal
- 36.K.Arumugam
- 37.K.Venkatachalam
- 38.P.Shanmugam
- 39.P.Subramani



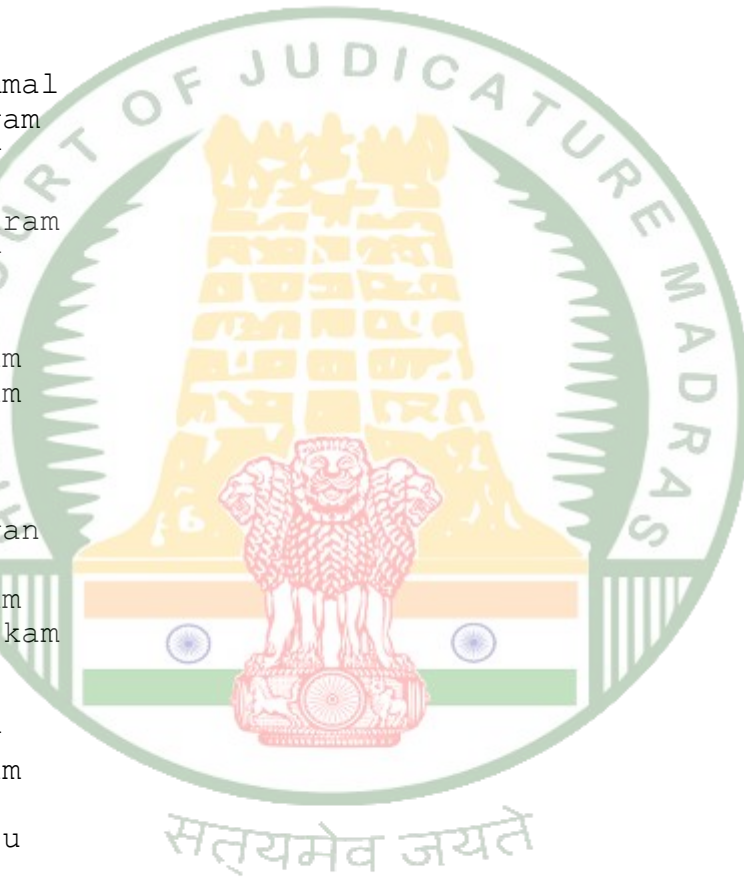
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40.P.Madhaiyan
41.P.Chidambaram
42.M.Madhambu
43.C.Kunji Pillai
44.C.Manickam
45.K.Paramasivam
46.P.Kunji
47.Kumari
48.M.Arasakkal
49.K.Revathi
50.K.Kamalesan
51.K.Sathish Kumar
52.P.Rajaram
53.K.Kandasamy
54.K.Paramasivam
55.M.Periyasamy
56.K.Angamuthu
57.M.Palaniyammal
58.Venkatachalam
59.A.Periyasamy
60.T.Lakshmi
61.Thangavelu
62.A.Shanmugam
63.P.Perumal
64.P.Andiyappan
65.C.Sathiya Priya
66.R.Munusamy
67.R.Mari
68.R.Ranganathan
69.R.Natarajan
70.R.Govindan
71.R.Sivasamy
72.R.Ammami
73.K.Murugan
74.K.Kannan
75.A.Ayyannan
76.N.Karuppusamy
77.R.Madhuraj
78.M.Viswanathan
79.M.Ramamurthy
80.Raji
81.M.Dhanalakshmi
82.K.Thennarasu
83.K.Asokan
84.P.Chinnaraj
85.K.Shanmugam
86.N.Selvakumar
87.S.Anandhi
88.V.Parvathy
89.K.Thangamani



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90.C.Ammasi
91.K.Nagarajan
92.T.Jeeva
93.P.Venkatachalam
94.Pachiyammal
95.S.Sarguna
96.G.Annadurai
97.K.Chinraj
98.R.Radhakrishnan
99.P.Venkatachalam
100.M.Mariyammal
101.M.Venkitu
102.M.Chinraj
103.M.Chinna
104.C.Palaniyammal
105.A.Paramasivam
106.A.Lingasamy
107.A.Gurusamy
108.A.Somasundaram
109.A.Mayilsamy
110.K.Kamaraj
111.M.Sivasamy
112.K.Sadhasivam
113.K.Sambasivam
114.K.Arumugam
115.K.Sekar
116.A.Maadhu
117.K.Kunjipaiyan
118.C.Manickam
119.A.Paramsivam
120.A.Rajamanickam
121.A.Jayavel
122.K.Rajammal
123.C.Ponnusamy
124.D.Mahalingam
125.S.Ammasi
126.S.Thangavelu
127.S.Arumugam
128.Thambi
129.P.Pappa
130.S.Pachiyappan
131.M.Jayammal
132.M.Sivasamy
133.A.Mayilsamy
134.S.Aasaithambi
135.P.Shankar
136.M.Muniyan
137.M.Arunachalam
138.M.Naina Gounder
139.M.Rathinam



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140.V.Ramar
141.K.Kandasamy
142.M.Ayyamperumal
143.M.Arthanari Eswaran
144.M.Jayajothi
145.K.Mayilsamy
146.M.Suguna
147.V.Ravi
148.P.Kandasamy
149.Lakshmi
150.G.Subramaniyam@Subramani
151.Dhasapoyan
152.K.Rajendran
153.Chinnapaiya Gounder
154.G.Ganesan
155.K.Rajamanickam
156.K.Ponnusamy
157.G.Nagalingam
158.T.Usharani
159.P.Ramasamy
160.K.N.Saraswathy
161.N.Palanivel
162.E.Devaraj
163.K.Senthil Kumar
164.A.Manivel
165.A.Rathinam
166.C.Ramkumar

...Petitioners

-Vs-

- 1.The Director General of Police,
Tamil State Police Head Quarters,
No.1, Radhakrishnan Road,
Mylapore, Chennai - 600 001.
- 2.The Superintendent of Police,
Salem District Police,
Salem.
- 3.The Deputy Superintendent of Police,
Mettur Police Range,
Salem District.
- 4.The Deputy Superintendent of Police,
Omalur Police Range,
Salem District.
- 5.The Deputy Superintendent of Police,
Edappadi Police Range,
Salem District.

6.The Deputy Superintendent of Police,
Athur Police Range,
Salem District.

7.The Deputy General Manager,
Power Grid Corporation of India,
Sankagiri TLC Office,
No.3/3/27-B, Bharathy Nagar,
Salem Main Road,
Sankagiri, Salem District - 637 301.

...Respondents

Prayer: Criminal Original petition is filed under Section 482 of Cr.P.C, to direct the respondents herein, to forbear them from giving police protection in any manner aiding the officials of the Power Grid Corporation Limited & the Revenue Officials in implementing the "800 kV Raigarh (HVDC Stn) - Pugalur (HVDC Stn) HVDC Bipole link with MW capacity", unless those Officials obtain Enter-upon Permission under the Provisions of the "Indian Telegraph Act, 1885" or "Works of Licensees Rules, 2006" as the case may be, from the District Magistrate, Salem, permitting Entry in to the Lands of the Petitioners.

For Petitioner : Mr.K.Myilsamy

For R1 to R6 : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

ORDER

This petition has been filed questioning the action taken by the Power Grid Corporation Limited, seeking to take over the lands belonging to the petitioners for the purpose of putting up a power grid with the help of police.

2. In a case of similar nature, this Court has already passed an order in CrI.O.P.No.28520 of 2018, dated 06.12.2018. The relevant portion of the order is extracted hereunder:

"10.This Court has carefully considered the submission made on either side. The learned Senior counsel appearing for the seventh respondent has made a categorical statement before this Court that the seventh respondent will not proceed further, where there is resistance from the land owners/occupiers, without following the procedure under Section 16(1) of the Indian Telegraph Act, 1885. In view of the specific stand taken by the

learned Senior counsel, the apprehension that has been raised by the petitioners has been answered.

11.It is made clear that the police shall not interfere in this issue unless the seventh respondent has followed the procedure in accordance with law in order to proceed further with the project. This Court also records the submission made by the learned Senior counsel appearing for the seventh respondent in this regard."

3. The above order will also apply to the facts of the present case. The 7th respondent is directed to follow the procedure under Section 16(1) of the Indian Telegraph Act, 1885 and workout his remedy in accordance with law. It is made clear that the police will not interfere with this issue, unless the 7th respondent has followed the procedure in accordance with law in order to proceed further with the project.

4. With the above observation, the Criminal Original Petition is disposed of.

ub/ggi

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

- 1.The Director General of Police,
Tamil State Police Head Quarters,
No.1, Radhakrishnan Road,
Mylapore, Chennai - 600 001.
- 2.The Superintendent of Police,
Salem District Police,
Salem.
- 3.The Deputy Superintendent of Police,
Mettur Police Range,
Salem District.
- 4.The Deputy Superintendent of Police,
Omalur Police Range,
Salem District.

5.The Deputy Superintendent of Police,
Edappadi Police Range,
Salem District.

6.The Deputy Superintendent of Police,
Athur Police Range,
Salem District.

7.The Deputy General Manager,
Power Grid Corporation of India,
Sankagiri TLC Office,
No.3/3/27-B, Bharathy Nagar,
Salem Main Road,
Sankagiri, Salem District - 637 301.

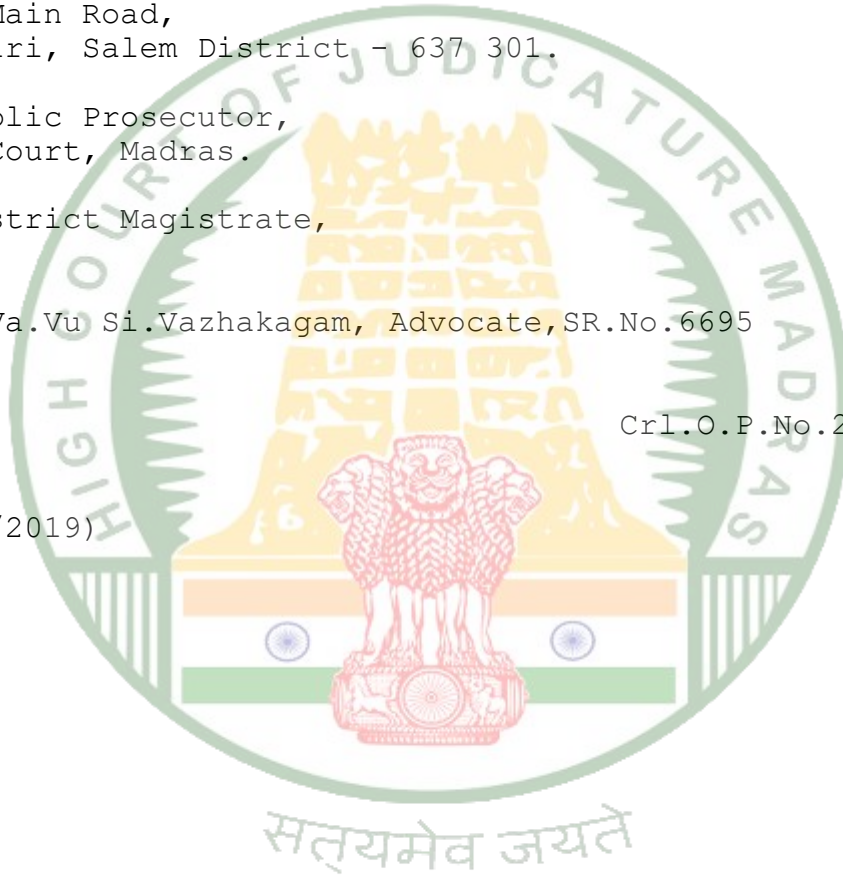
8. The Public Prosecutor,
High Court, Madras.

9. The District Magistrate,
Salem.

+1cc M/s.Va.Vu Si.Vazhakagam, Advocate,SR.No.6695

Crl.O.P.No.2091 of 2019

VBA (CO)
KAK (25/02/2019)



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