

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 02.08.2019

Coram:

THE HONOURABLE DR. JUSTICE G. JAYACHANDRAN

Writ Petition No.3581 of 2019

and

W.M.P.No.3923 of 2019

P.Shanmugham

.. Petitioner

/versus/

1.Superintending Engineer,
Tamil Nadu Generation and Distribution Corporation Ltd.,
(TANGEDCO),
Tatabad, Coimbatore 641 012.

2.Junior Engineer,
Tamil Nadu Generation and Distribution Corporation Ltd.,
(TANGEDCO),
Coimbatore.

(R1 and R2 are deleted vide order dated 08.02.2019
made in W.P.No.3581 of 2019 by TRJ)

3.The District Collector,
Coimbatore District,
Coimbatore.

4.The Chief Engineer,
Power Grid Corporation of India Ltd.,
No.3, First Floor, PMR Layout Extension,
Civil Aerodrome(Post),
Coimbatore 641 014.

5.Senior Chief General Manager,
Electrical Substation Power Grid Office,
Mywadi Village, Via, Kaniyur,
Madathukulam Taluk, Udumalpet 642 203.

6.Junior Engineer,
Electrical Substation Power Grid Office,
Mywadi Village,
Via Kaniyur,
Madathukulam Taluk,
Udumalpet 642 203.

.. Respondents

(R4 to R6 are impleaded as per order dated 02.08.2019 by GJJ in W.M.P.No.6188 of 2019 in W.P.No.3581 of 2019)

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 3rd respondent herein to dispose of the representation dated 10.09.2018 pending before him within a time schedule as prescribed by this Court after giving a personal hearing to the writ petitioner.

For Petitioner :Mr.C.R.Prasanan
For Respondents :Mr.N.Inbanathan, AGP for R1
Mr.Jayesh B.Dowa for
M/s Aiyar & Dolio for R2 to R4

O R D E R

The prayer in the writ petition is to issue a Writ of Mandamus directing the 3rd respondent herein to dispose of the representation dated 10.09.2018 pending before him within a time schedule as prescribed by this Court after giving a personal hearing to the writ petitioner.

2.Heard the learned counsel appearing for the petitioner and respondents.

3.The short point involved in this case is that the petitioner, who is the land owner through which the Power Grid Corporation proposed to draw electrical cable and erect tower, seeks alteration of the route alignment for the reasons stated in his representation dated 10.09.2018 followed by the reminder dated 23.10.2018.

4. As per the Electricity Act, 2003, under Section 17, any such request has to be considered by the District Collector and after hearing the parties, he has to pass appropriate orders regarding alteration of alignment etc.

5. Therefore, the District Collector, who is the first respondent herein, is directed to consider the representation of the petitioner herein dated 10.09.2018 and pass appropriate orders, after giving opportunity to the parties concerned, within a period of four weeks from the date of receipt of a copy of this order.

6. The learned counsel appearing for respondents 2 to 4 undertakes that till the disposal of the representation of the petitioner by the District Collector/first respondent, no

operation will be carried out in the land of the petitioner. The said submission is recorded.

7. With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

-s/d-
Assistant Registrar (CS-IV)

True Copy

Sub-Assistant Registrar

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To:

1.The District Collector,
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Via Kaniyur,
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Udumalpet 642 203.

+1 CC to Govt. Pleader sr 66727.

+1 CC to Mr.C.R.Prasanan, Advocate sr 66596.

+1 CC to M/s. Aiyar & Dolia, Advocate sr 66244.

W.P.No.3581 of 2019
and
W.P.No.3923 of 2019

SP(07/08/2019)