

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.02.2019

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.3753 of 2019

S.Chandrasekaran

.. Petitioner

-vs-

1. The District Collector
District Collector Office
Erode District, Erode
2. The Chief Engineer
NPKRR Maaligai
No.144, Anna Salai
Chennai 600 002
3. The Superintendent Engineer
Transmission Tower Line Work
Udayapatti Electricity Board Office
Salem 636 014
4. The Assistant Executive Engineer
Transmission Line Construction-II
TANTRANSCO (TNEB)
Udayapatti
Salem 636 014

.. Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the respondents 2 to 4 to grant compensation for removing trees in the petitioner's lands, comprised in S.Nos.330/1 & 330/2 of Kannapalli Village, Anthiyur Taluk, Erode District for erecting High Tension Transmission Tower, within a stipulated time period.

For Petitioner :: Mr.A.S.Balaji

For Respondents ::

Mr.K.Ravikumar
Additional Government Pleader for R1
Mr.Abdul Saleem
Standing Counsel for R2 to 4

ORDER

The petitioner claims to be the owner of land situated in Survey Nos.330/1 & 330/2, Kannapalli Village, Anthiyur Taluk, Erode District having an extent of about 2.00 acres, wherein he has also planted 500 teak trees, , 50 neem trees, beech trees, mango trees, donny trees, 40 coconut trees, 50 bamboo trees and they were also sufficiently taken care of. Now these grownup trees are giving good yield to the petitioner. At this stage, the respondent-Electricity Department have come into the land of the petitioner and started removing the grown up trees. After losing the garden of teak trees and yielding coconut trees, the petitioner has given a representation claiming compensation thereon on 24.12.2018 to the Superintending Engineer, Transmission Tower Line Work, Salem, the third respondent herein. But till date, the said representation has not been considered. Therefore, a direction be issued.

2. The learned standing counsel for the respondents 2 to 4 submitted that they have sent a letter dated 20.12.2018 requesting the District Collector, Erode to take on board the representation made by the petitioner claiming compensation on the felled trees and decide the matter.

3. Mr.K.Ravikumar, learned Additional Government Pleader, taking notice on behalf of the first respondent, sought three weeks time to pass orders on the representation of the petitioner.

4. A perusal of the letter dated 20.12.2018 addressed by the Assistant Executive Engineer, TANTRANSCO, Salem, the fourth respondent herein clearly shows that a request has already been made, which also goes together with the request of the petitioner. Therefore, the District Collector, Erode, the first respondent herein is hereby directed to consider the pending representation of the petitioner along with the request made by the fourth respondent for a just and reasonable compensation on the felled trees owned by the petitioner. Such exercise shall be completed within a period of three weeks from the date of receipt of a copy of this order. The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(J)

//True copy//

Sub Assistant Registrar

ss

To

1. The District Collector
District Collector Office
Erode District, Erode

2. The Chief Engineer
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Chennai 600 002

3. The Superintendent Engineer
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Salem 636 014

4. The Assistant Executive Engineer
Transmission Line Construction-II
TANTRANSCO (TNEB)
Udayapatti
Salem 636 014

+1cc to Mr.Abdul Saleem, Advocate SR.No.12242

+1cc to Mr.A.S.Balaji, Advocate SR.No.11931

+1cc to Government Pleader SR.No.12322

W.P.No.3753 of 2019

GMV (28/02/2019)

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