

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.04.2019

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THE HONOURABLE MR.JUSTICE T.RAJA

W.P.Nos.13046, 13055 and 13065 of 2019 and
W.M.P. Nos.13179, 13189 and 13291 of 2019

K.Pechimuthu ... Petitioner in W.P. No.13046 of 2019
P.Kangavalli ... Petitioner in W.P. No.13055 of 2019
R.Palanisamy ... Petitioner in W.P. No.13065 of 2019

-vs-

1.The District Collector,
Coimbatore District,Coimbatore.

2.Power Grid Corporation of India Limited,
rep. by its Branch Manager,
400/230 KV Office,
Chennai Andavar Koil Opposite,
Karumathampatty Post,
Coimbatore-641 659.

3.The Tahsildar,
Kinathukadavu Taluk,
Kinathukadavu,
Coimbatore District.

... Respondents in all cases

Prayer in W.P. No.13046 of 2019: Petition filed under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, to direct the second respondent to pass appropriate orders on the petitioner's representation/explanation dated 25.01.2019 regarding the petitioner's Rock Portion Lands situated in Survey No.358/1B-1.52.50 Hec, Survey No.467/1A1-1.38.50 and Survey No.468/1-0.10.00 Hec. in total 3.1.00 Hectares of Chettiyakkapalayam Village, Kinathukadavu Taluk, Coimbatore District.

Prayer in W.P. No.13055 of 2019: Petition filed under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, to direct the second respondent to pass appropriate orders on the petitioner's representation/explanation dated 25.01.2019 regarding the petitioner's Rock Portion Lands situated in Survey No.357/3A-0.47.50 Hec., Survey No.358/1A-1.13.00 Hec., Survey No.468/3A1 - 2.8.50 Hec., Survey 461/1 - 2.30.00 Hec. and Survey No.463/3B - 0.54.00 in total 6.53.00 Hectares in Chettiyakkapalayam Village, Kinathukadavu Taluk, Coimbatore District.

Prayer in W.P. No.13065 of 2019: Petition filed under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, to direct the second respondent to pass appropriate orders on the petitioner's representation/explanation dated 25.01.2019 regarding the petitioner's Rock Portion Lands situated in Survey No.468/3A2 - 1.58.50 Hec., Survey No.468/3C - 0.62.00 Hec. And Survey No.463/3A2 - 1.36.00 Hec., in total 3.56.50 Hectares in Chettiyakkapalayam Village, Kinathukadavu Taluk, Coimbatore District.

For Petitioners in all cases: Mr.V.Ravi

For Respondents in all cases: Mr.K.Ravikumar,
Additional Government Pleader
for R1 and R3

Mr.Jayesh B.Dolia for
M/s.Aiyar and Dolia,
Standing Counsel for R2

COMMON ORDER

The petitioners have come to this Court seeking a direction to the second respondent to pass appropriate orders on their representation/explanation dated 25.01.2019 regarding their Rock Portion Lands situated at Chettiyakkapalayam Village, Kinathukadavu Taluk, Coimbatore District.

2.Learned counsel appearing for the petitioners would submit that the petitioners are agriculturists. However, on 23.12.2017, the subordinates of the respondents came to the petitioners' property and started inspecting. On enquiry, the petitioners were informed that the respondents are going to lay electricity poles in their property. Therefore, objections were given stating that the laying of electricity poles in their property would cause them irreparable loss. Subsequently, the respondents visited the petitioners' land in the first week of January 2018. Therefore, the petitioners filed the writ petition in W.P. No.3654 of 2018 before this Court. By order dated

10.12.2018, this Court, considering the limited prayer sought for by the petitioners, directed the respondents to consider the petitioners' representation dated 31.01.2018 and pass appropriate orders on merits and in accordance with law after affording an opportunity of personal hearing to all the parties, within a period of six weeks. But till date the respondents have not complied with the direction. In the meanwhile, the petitioners have approached the second respondent, who informed the petitioners to come for an enquiry on 22.02.2019. As the second respondent has not proceeded with the matter further, the petitioners are before this Court seeking the above prayer.

3.It is at this stage, learned Standing Counsel appearing for the second respondent would submit that although the respondents have issued notice to the petitioners to appear for an enquiry, they have not shown any interest. However, if a direction is issued to the petitioners to appear for the enquiry, an opportunity of being heard will be given to them.

4.Recording the submission made by the learned Standing Counsel appearing for the second respondent, the writ petitions are disposed of directing the second respondent to issue notice to the petitioners within a period of one week from the date of receipt of a copy of this order, informing the time and place of hearing to the petitioners and on receipt of such notice, the petitioners are directed to appear for the personal hearing and after hearing the petitioners, the second respondent is further directed to pass appropriate reasoned orders within a period of two weeks thereafter. Consequently, connected W.M.Ps are closed. No costs.

Sd/-
Assistant Registrar (CS III)

//True Copy//

Sub Assistant Registrar

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To

1.The District Collector,
Coimbatore District,
Coimbatore.

2.The Tahsildar,
Kinathukadavu Taluk,
Kinathukadavu,
Coimbatore District.

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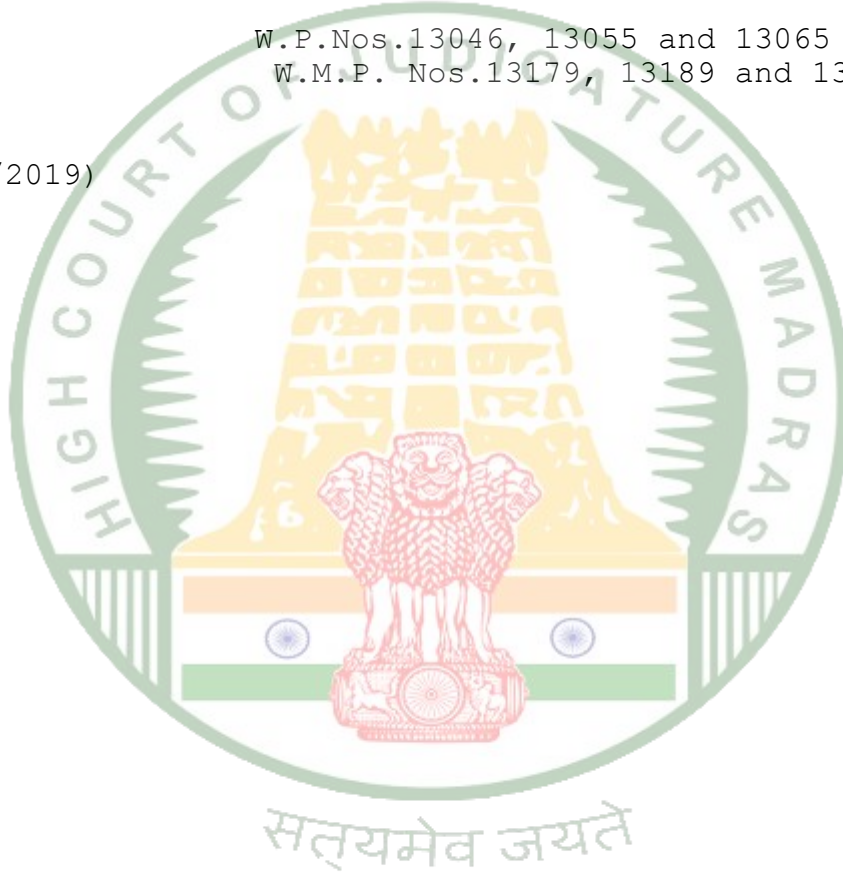
3.Branch Manager,
Power Grid Corporation Of India Ltd.,
400/230 KV Office,
Chenni Andavar Koil Opposite,
Karumathampatty Post,
Coimbatore - 641 659.

+1cc to Mr.V.Ravi, Advocate, S.R.No.41793
+3ccs to the Government Pleader, S.R.No.146, 151 & 152
+1cc to M/s.Aiyar and Dolia, Advocate, S.R.No.43102

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SPD(CO)

RRS(03/05/2019)



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