

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.03.2019

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.20746 of 2018

and

WMP Np.24373 of 2018

A.M.Sekar

.. Petitioner

-vs-

1. The District Collector
O/o the District Collector
Coimbatore 641 018
2. The Chairman
Tamil Nadu Electricity Board
No.144, Anna Salai
Chennai 600 002
3. The Superintending Engineer
TANTRANSCO
182, Dr.Subbarayan Road
Tatabad, Coimbatore 641 012 .. Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the third respondent to consider the petitioner's representation dated 30.06.2018 to immediately fix and pay the compensation to the petitioner as per the order in proceedings No.Pa.Mu.24824/2017/E2 of the first respondent dated 26.05.2018 as claimed by the petitioner before the first respondent or consider the request of the petitioner to erect the High Tension Electricity Tower in the southern side border of the petitioner's land instead of erecting in the middle of the petitioner's land.

For Petitioner :: Mr.M.Akbar Basha
for M/s Tamizh Law Firm

For Respondents :: Mr.K.Ravikumar
Additional Government Pleader
for R1
Mr.Abdul Saleem
Standing Counsel for R2 & 3

ORDER

This writ petition has been filed for issuance of a mandamus, directing the Superintending Engineer, Tamil Nadu Transmission Corporation (TANTRANSCO), the third respondent herein to consider the petitioner's representation dated 30.06.2018 to immediately fix and pay the compensation to the petitioner, as per the order in proceedings No.Pa.Mu.24824/2017/E2 of the District Collector, Coimbatore, the first respondent herein dated 26.05.2018 as claimed by the petitioner before the first respondent or consider the request of the petitioner to erect the High Tension Electricity Tower in the southern side border of the petitioner's land instead of erecting in the middle of the petitioner's land.

2. It is the claim of the petitioner that he owns agricultural land in Ka.Sa.Nos.448/1C2A and 439/3E in Seerapalayam Village, Coimbatore Taluk and has been doing the agricultural activities for the last 25 years. While so, the Superintending Engineer, Tamil Nadu Transmission Corporation, the third respondent herein, surprisingly, started the work of erecting the high tension electricity towers without fulfilling the norms and without giving notice to the petitioner for consent. Therefore, a representation was given on 24.11.2017 to the respondents not to proceed with the erection of high tension electricity towers in his land. Finally, they have erected the high tension electricity towers without even paying compensation. Hence, he was constrained to come to this Court seeking the above prayer.

3. When the matter was taken up, the learned standing counsel for the respondents 2 & 3, placing on record the proceeding dated 28.8.2018 passed by the Executive Engineer, TANTRANSCO, stated that the compensation of Rs.78,212/- has been paid to the petitioner by way of cheque bearing no.565776 dated 24.8.2018 drawn on Canara Bank, Gandhipuram, Coimbatore, a copy of which is enclosed, and therefore, nothing survives in the matter.

4. In view thereof, this writ petition stands closed, as nothing survives for adjudication. Consequently, W.M.P.No.24373 of 2018 is also closed. No costs.

Sd/-

Assistant Registrar(CCC)

//True copy//

Sub Assistant Registrar

ss

To

1. The District Collector
O/o the District Collector
Coimbatore 641 018
2. The Chairman
Tamil Nadu Electricity Board
No.144, Anna Salai
Chennai 600 002
3. The Superintending Engineer
TANTRANSCO
182, Dr.Subbarayan Road
Tatabad, Coimbatore 641 012

+1cc to Mr.Thamizh Law Firm, Advocate SR.No.24490

+1cc to Mr.Abdul Saleem, Advocate SR.No.24555

W.P.No.20746 of 2018

GP(CO)
GMY(23/04/2019)



WEB COPY