IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.03.2019

CORAM :

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.14046 of 2018 and
W.M.P.No.16599 of 2018

S.V.Raju ...Petitioner

Vs

1. The District Collector,
   Tiruppur District,
   Tiruppur.

2. The Chief Manager,
   Power Grid Corporation of India Limited,
   No.1, Puliakulam, Coimbatore,
   Landmark : Opposite to Kidney Center

3. The Chief Manager,
   Power Grid Corporation of India Limited, SS,
   Myvadi (Post) Madathukulam Taluk,
   Udumalpet-638 203,
   Tiruppur District. ... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, forbearing the respondents from erecting towers in the petitioner's agricultural lands in S.No.452, 453, 454, 455-1A and 455-3A2 Moongilitholuvu Village, Udumalpet Taluk, Tiruppur District.

For Petitioner : Mr.C.P.Palanichamy

For Respondents : Mr.K.Ravikumar,
AGP for R1
Mr.R.Thyagarajan,
Senior Counsel
for M/s.Aiyar & Dolia for
R2 and R3

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O R D E R

The Writ Petition has been filed seeking to issue a Writ of Mandamus, forbearing the respondents from erecting towers in the petitioner's agricultural lands in S.No.452, 453, 454, 455-1A and 455-3A2 Moongilitholuvu Village, Udumalpet Taluk, Tiruppur District.

2. Learned Counsel appearing for the petitioner submitted that when the TANGEDCO has already erected High Power Electricity Lines across the petitioner's lands cutting about 130 Coconut Trees, again, in the year 2015, TANGEDCO has also planned for another High Power Electricity Line Construction crossing the petitioner's lands. Therefore, the petitioner requested the department to realign the route so as to save their coconut trees. Since there was no response, the petitioner approached this Court in W.P.No.16732/2015 and this Court by order dated 12.06.2015, directed the 1st respondent to consider and dispose of the representation of the petitioner dated 13.04.2015 in accordance with law. Thereafter, as per the direction of this Court, the 1st respondent therein has accepted the case for realignment.

3. The learned Counsel for the petitioner further submitted that now the Power Grid Corporation of India Limited has once again come with a proposal for erecting high power electricity lines in the middle of the petitioner's lands instead of taking on the western side. Therefore, a representation dated 09.04.2018 was given to the respondents by the petitioner. Although the same was acknowledged by the Power Grid Corporation of India Limited, till date, there is no response. Hence, the present Writ Petition.

4. At this stage, Mr.R.Thyagarajan, learned Senior Counsel appearing for the Power Grid Corporation of India Limited stated that he has advised the respondents 2 and 3 to consider the technical aspect raised by the petitioner in his representation dated 09.04.2018 and pass a suitable orders on merits and in accordance with law, within a time stipulated by this Court.

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5. In view of the above, without going into the merits of the matter, this Court directs the respondents to consider the technical aspects raised by the petitioner in his representation dated 09.04.2018 and pass a suitable order on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this Order.

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

Sd/-
Assistant Registrar

//True copy//

Sub Assistant Registrar

tsi

To

1. The District Collector,
Tiruppur District, Tiruppur.

2. The Chief Manager,
Power Grid Corporation of India Limited,
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Myvadi (Post) Madathukulam Taluk,
Udumalpet-638 203,
Tiruppur District.

+1cc to M/s.Aiyar & Dolia, Advocate SR.No.25636

+1cc to Mr.C.P.Panichamy, Advocate SR.No.25644

+1cc to Government Pleader SR.No.26293

W.P.No.14046 of 2018

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