

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Reserved on: 19.06.2019	Pronounced on: 26.06.2019
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Coram::

The Honourable Dr.Justice G.Jayachandran

Writ Petition No.15077 of 2019
& W.P.Nos.15055 to 15057 of 2019

1. Vai.Palanisamy,
S/o.Vaiyapuri Gounder,
No.3/79, Kidathuraipudhur, Poomalur Post,
Mangalam Via, Palladam Taluk,
Tiruppur District - 641 663
2. A.Rajendran,
S/o.Arunachalam,
No.6/273, Odakkalapalayam,
Vadambacheri Post, Sulthanpet, Coimbatore.
3. K.Manickam,
S/o.Kalimuthu Gounder,
No.9/70, Perumpathi, Jameen Kaliyapuram Post,
Pollachi, Coimbatore District.
4. M.Kathiresan,
S/o.N.Manthirachala Gounder,
No.5/31, Saka Thottam Kavilipalayam,
Mettuvai Post, Kinathukadavu Taluk,
Coimbatore District.
5. K.Chellamuthu,
S/o.Kuppusamy,
No.4/54, Kottaikalkadu, Kadachanallur Post,
Namakkal District.
6. K.Kandasamy,
S/o.Karuppusamy,
Maambaadi Post, Moolanur,
Dharapuram Taluk, Tiruppur District.
7. P.Thirumalaisamy,
S/o.Palanisamy Gounder,
Subramaniyagoundan Valasu,
Vellakovil, Tiruppur District.

8. R.Ravikumar,
S/o.Rathinam,
Perumbalai, Pennagaram Village,
Dharmapuri District.
9. T.Ananda Kumar,
S/o.Thangamuthu,
Chinnammapuram, Punjaikalamangalam,
Erode District.
10. K.K.Palanisamy,
S/o.Kandasamy,
Merku Thottam, Kuppanur,
Sankagiri, Salem District.
11. R.V.Selvakumar,
S/o.Vellappa Gounder,
Sadayampattu Village, Kallakurichi,
Villupuram District. Petitioners

/versus/

1. Union of India,
Represented by:-
The Secretary,
Ministry of New and Renewable Energy,
Block-14, CGO Complex,
Lodhi Road, New Delhi - 110 003.
2. Central Electricity Authority,
Represented by:-
The Chairperson,
Sewa Bhavan, R.K.Puram,
Section - 1, New Delhi - 110 066.
3. Power Grid Corporation of India Ltd.,
Represented by:-
The Managing Director,
B-9, Qutab Institutional Area, Katwaria Sarai,
New Delhi - 110 016.
4. The District Collector,
Coimbatore District, Coimbatore.

5. The District Collector,
Tiruppur District, Tiruppur.
6. The District Collector,
Erode District, Erode.
7. The District Collector,
Namakkal District, Namakkal.
8. The District Collector,
Salem District, Salem.
9. The District Collector,
Dharmapuri District, Dharmapuri.
10. The District Collector,
Villupuram District, Villupuram.
11. The Deputy General Manager,
Power Grid Corporation of India,
Sankagiri TLC Office, No:3/3/27-B, Bharathy Nagar,
Salem Main Road,
Sankagiri, Salem District - 637 301. ... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue Writ of Certiorarified Mandamus, to call for the records of the impugned paper publications in i). "The New Indian Express, Chennai Edition" dated: 20.04.2016, ii). "The Time of India, Chennai Edition" dated:06.05.2016 & iii). "The New Indian Express, Chennai Edition" dated:20.05.2016 of the 3rd & 11th respondents with respect to the Power Transmission Projects namely.

- a. Raigarh to Pugalur 800 KV HVDC Line.
- b. Pugalur to North Thrissur 400 KV (Quad) D/C Line.
- c. Pugalur HVDC Station - Pugalur Existing 400 KV (Quad) D/C Line.
- d. Pugalur HVDC Station - Arasur 400 KV (Quad) D/C Line.
- e. Pugalur HVDC Station - Thiruvalam 400 KV (Quad) D/C Line.
- f. Pugalur HVDC Station - Edayarpalayam 400 KV (Quad) D/C Line.
- g. Edayarpalayam - Udumalpet 400 KV (Quad) D/C Line.

of the 3rd & 11th respondents and quash the same and subsequently direct the 3rd & 11th respondents to issue Fresh paper publications/Notifications with respect to the above Projects with detailed description of the Affected lands & also with the provision of the Hearing objections of such affected land owners by a Third-Party Competent Authority.

For Petitioner : Mr.V.Raghavachari, Senior Counsel
for Mr.M.Guruprasad

For R1 & R2 : Mr.T.L.Thirumalaisamy

For R4 to R10 : Mr.D.Suriyanarayanan,
Additional Government Pleader

For R11 : Mr.R.Thiyagarajan, Senior Counsel
for M/s.Aiyar & Dolia

O R D E R

The petitioner herein are Agricultural land owners in the districts of Tiruppur, Coimbatore, Dharmapuri, Namakkal, Erode, Salem, Villupuram District of Tamil Nadu. Alleging that they are affected by the erection of High Tension Transmission Towers and corridors of Power Transmission project carried by Power Grid Corporation of India/3rd respondent herein has filed this present Writ Petition, seeking Writ of Certiorarified Mandamus, to quash the paper publication made in daily English newspaper during the month of April and May 2016, with respect to the following Power Transmission Projects.

- a. Raigarh to Pugalur 800 KV HVDC Line.
- b. Pugalur to North Thrissur 400 KV (Quad) D/C Line.
- c. Pugalur HVDC Station - Pugalur Existing 400 KV (Quad) D/C Line.
- d. Pugalur HVDC Station - Arasur 400 KV (Quad) D/C Line.
- e. Pugalur HVDC Station - Thiruvallam 400 KV (Quad) D/C Line.
- f. Pugalur HVDC Station - Edayarpalayam 400 KV (Quad) D/C Line.
- g. Edayarpalayam - Udumalpet 400 KV (Quad) D/C Line.

2. It is contended in the affidavit filed by the 11 petitioners herein, who claims to be land owners likely to be affected by the projects, that the Central Electricity Authority/2nd respondent herein, gave prior approval to the Power Grid Corporation of India/3rd respondent herein, for these following three schemes.

1. Scheme # 1: Raigarh - Pugalur 6000 MW HVDC System
2. Scheme # 2: AC System Strengthening at Pugalur and
3. Scheme # 3: Pugalur - Trichur 2000 MW VSC Based HVDC System

3. The said High Tension Transmission Projects is to erect the Towers and overhead lines through the specific route, which passes through the petitioners' land. While implementing the said project, the petitioners' apprehend that the following damages are likely to cause to them and their land.

i. Fragmentation of Agricultural Lands: The lands to be acquired for this project mostly belongs to small farmers having merely 1 to 2 Acres of lands. The Route does not run along the sides of the Fields, rather it runs across the fields. No Borewell was allowed to be laid even for the purpose of irrigation. Hence raises the Question over the Future livelihood of the farmers, whose lands are to be acquired.

ii. Restriction of Cultivation: The Districts, though which the Tower lines passes, are already facing heavy shortage of Agricultural Labourers. So the farmers in the above said districts already migrated to the Cultivation of long Term Crops such as Coconut, Mango etc., which requires less Manpower. But these projects restrict the farmers from cultivating the above said crops. Because of this yearly cultivation and Harvest & Income are stalled, in turn the future of the families of the farmers is left in the Dark.

iii. Diminution/Fall of land Value (Present & Future): The Farmers of the Districts through which the Tower lines pass, are facing continuous loss yearly, But they are continuing Agriculture only because of their dependency on the value of Lands they own. To meet their Requirements such as children's Education, Medical Expenses, Marriage Expenses, Essential Family Expenses, they use to sell a small portion of their land. But because of the above Projects, the Lands' both Present & Future Market Value plunge. Hence not only the Families' Future but also the life of the future generation of the Farmers is put into jeopardy. If the lands are acquired for Highways etc., the value of the remaining adjacent lands get appreciated, whereas if the lands are acquired for Power Transmission Projects, the value of the remaining adjacent lands hits rock bottom, as they were rendered almost useless for Agricultural as well as Residential purpose.

iv. Subject Lands loss to Marketability: The Implementation of above projects places lots of restrictions, which in turn curbs the absolute enjoyment of the lands by the owners. Thus, this results in the loss of marketability of the subject lands, on which there are restrictive enjoyments being imposed by the above projects.

v. Rejection of loan against property by banks, Financial Institutions & Private Bankers: As the value of the land plunges due to the Installation of High-Tension Electric Towers & Power Transmission Lines, default of any loans against the land is not recoverable. Hence the Banks, financial Institutions & Private Bankers are reluctant in providing Finance or loan against the land.

vi. Problems in Family Partition: Already the Farmers are knocking the doors of the Courts regularly for land Rights, Common Pathway, Partition, etc., daily. In this situation, how can a family member or coparcener is expected to take the land through which the Tower Lines run? It is clear that the above project is adding agony to the already existing family problems of the farmers.

vii. Existing borewells, wells, water tanks are rendered unusable: There are many existing borewells, wells, water tanks lie on the lands through which the Tower lines run. These water bodies are the only source for irrigation & the livelihood of the farmers and these will be rendered useless upon the installation of the High-Tension Electric Towers & Power Transmission Lines in the Agricultural Lands. Loss of existing water resources in the time of scarce rainfall is irreparable. This in turn affects the Agricultural Activities in the entire land, where the Tower line passes through. It is not out of place to state that nowadays, the Agricultural Activities almost in the state of Tamil Nadu, depends entirely on underground water.

viii. Cannot use the Residential House, Pathways, etc.: Many residential houses, pathways, etc., come under the intended installations of the High Tension Electric Towers & power Transmission Lines, which causes the Electric Pressure & Leakage, which in turn force the residents to shift their residences to some other locations.

ix. Non-willingness to provide adequate compensation for the Towers & Tower Lines: The licensees of the above projects do not provide adequate compensation for the loss incurred by the land owners due to the Towers & Tower Lines. They always illegally assume the Powers of a Telegraph Authority by their own, thus they always contend that they are not required to pay any compensation for the land, which is being used.

4. Further, it is also contended in the affidavit that due to passing of extreme High Voltage Current through the overhead High Tension Transmission Lines, the Electrostatics field develops. It conduct through human being, plants and animals causing serious health, affects on the life. While so, the paper publications/notices in the daily newspaper published by the Licensees (3rd & 11th respondents) called for Observations/Representations/Objections, without providing the details of the route through which the High Tension Transmission Lines, likely to be implanted is contrary to Principles of natural Justice and violation of Principle of audi alteram partem.

5. The Implementations of the said "Projects" are being done as per the provisions of Indian Telegraph Act, 1885 or The Electricity Act, 2003 read with Works of Licensees Rules, 2006. The procedure to be followed is, after publication of the public notice only the licensee enter upon the lands which are proposed to be specified in the impugned publication. As far as impugned publication, the proposed field through which the transmission lines likely to pass not mentioned. The publication is vague, without furnishing the route sketch or Survey number. Therefore, there was no opportunity for the land owners to know whether the proposed projects pass through their land or not. While so, the procedure contemplated under law is first public notice about the project and thereafter a public notice inviting objection /suggestion from the public upon which the District Collector has to conduct enquiry and pass order, after hearing the land owners and the licensee. Only thereafter enter upon permission should be granted to the licensee to proceed with the implementation of the project.

6. It is contended by the learned counsel for the petitioners that the impugned public notice is without proper reference to the field and Survey number through which the proposed project to be implemented. Want of details about land has deprived the land owners from making proper objections. The said publication is vague and not in accordance with law. While so, the 3rd and 11th respondents have illegally entered upon their lands and had started erecting Towers and drawing High Tension Transmission Line corridors over the land. Taking exception to publication of the impugned notification in English daily and not in local language that to without details of the land through which the project likely to pass through, the said notification is to be vitiated as vague as per the judgment of the Hon'ble Supreme Court in Om Prakash Sharma & Ors Vs. M.P.Audyogik Kendra Vikas Nigam & Ors reported in 2005 10 SCC 306.

7. The impugned publication inviting objections also suffers violation of Principle of natural Justice. Since the licensees himself has called for objections which is contrary to the Principle of no one shall be a Judge in his Own Cause.

8. Further, contention raised by the learned counsel for the petitioners is that the Principle Public Trust Doctrine propounded by the Hon'ble Supreme Court in M.C.Metha Vs. Kamal Nath reported in (1997) 1 SCC 388 totally been violated in the present case. Though, the transmission projects are for public development, the basic Right of Property under Article:300-A and

Principles of audi alteram partem cannot be overlooked. Therefore, the petitioners seek to quash the publication and direct the authorities to issue fresh publication with detailed description of the affected lands and also with the provision of hearing objections of such affected land owners by a third party and pass such other further orders.

9. The 3rd and 11th respondents herein have filed the detailed counter affidavit, wherein, it is stated that the petitioners have misunderstood the project carried on by the respondents and the larger interest of the general public involved in it. The 3rd and 11th respondents have not involved in any acquisition of land, as contended by the learned counsel for the petitioner. It has proposed to exercise the Right of Use as provided under the Indian Telegraph Act, 1885 and duly compensate the land owners for the area occupied by the legs of the Power Transmission Line Tower. This Court, in W.P.No.79 of 2019 dated 11.04.2019, has already held that erecting the Towers with overhead lines could not amount to any acquisition and the land owners have right of getting compensation under Section 16 of the Act.

10. The Power Grid Corporation of India, has been notified as a licensee, as per Section 14 of the Electricity Act, 2003 by the Central Government. Further, it has also conferred power of Telegraph Authority under the Indian Telegraph Act, 1885 by exercising its Power under Section 164 of the Electricity Act, 2003. While so, under Section 10 of the Indian Telegraph Act, 1885, they enter upon the lands through which the project passes. Among the petitioners herein, some of them have given their objections and same has been considered by the District Collector, who is the Authority competent to consider the objections. After hearing the objections, the District Collector has ordered remove of obstruction and also pass award of compensation.

11. The learned Additional Government Pleader appearing for the 4th respondent has also furnished the current status of the project in so far as the petitioner lands are concerned, which is extracted below:

Name of Petitioner's of W.P.No.15077 of 2019	S.No	Village	Taluk	District	Name of line	Petitioner whether filed petition to respective DC(s) regarding objection	Whether POWER GRID has given petition to DC for support from District Administration against the objection raised by these petitioner	Remarks
Vai.Palaniswamy	166/3	Samalapuram	Palladam	Tiruppur	400 KV Pugalur – Arasur TL	No	No	Land is not falling in tower location corridor Revenue Survey yet to be done
A.Rajendran	640/2	Vadambacheri	Sulur	Coimbatore	400 KV Pugalur-Edaiyarpalayam TL	No	No	Check Survey yet to be done
K.Manickam	265/2B	Poravipalayam	Pollachi	Coimbatore	320 KV HVDC Pugalur-Trichur TL	No	Yes	Petition for objection removal filed before DC on 27.11.2018 upon hearing, DC has passed order No.24037/2018/E2 dated 22.12.2018 Present Status: Foundation & Tower Erection completed

Name of Petitioner's of W.P.No.15077 of 2019	S.No	Village	Taluk	District	Name of line	Petitioner whether filed petition to respective DC(s) regarding objection	Whether POWER GRID has given petition to DC for support from District Administration against the objection raised by these petitioner	Remarks
M.Kathiresan	86/2	Mettuvavi	Kinathu-kadavu	Coimbatore	400 KV Edaiyarpalayam-Udumalpet TL	No	No	Land is not falling in Tower location. Corridor revenue Survey yet to be done.
K.Chellamuthu	88/1	Kadachanallur	Kumarpalayam	Namakkal	800 KV HVDC RPTL (Part-x)	No	Yes	167/0. Enter upon order received on 15.02.2019. W.P.No.5707 of 2019, case dismissed in High Court of Madras and referred back to DC. Enquiry completed on 13.06.2019. DC order awaited.
K.Kandasamy	73, 72/A	Nathampalayam	dharapuram	Tiruppur	400KV Pugalur-Pugalur TL	No	No	Land is not falling in Tower location. Corridor revenue survey yet to be done.
P.Thirumalaisamy	1246 /A1 A1	Vellakovil	Kangeyam	Tiruppur	400 KV Pugalur-Thiruvallur	No	No	”

Name of Petitioner's of W.P.No.15077 of 2019	S.No	Village	Taluk	District	Name of line	Petitioner whether filed petition to respective DC(s) regarding objection	Whether POWER GRID has given petition to DC for support from District Administration against the objection raised by these petitioner	Remarks
R.Ravikumar	561/2	Perumbalai	Pennagaram	dharmapuri	800 KV HVDC RPTL (Part-x)	No	Yes	27/0-28/0 corridor. W.P.No.28869 of 2018 dismissed in High Court of Madras and referred back to DC. Enquiry completed on 10.05.2019. DC order awaited.
T.Ananda Kumar	145	Punjaikalaman galam 'A'	Modakurichi	Erode	800 KV HVDC RPTL (part-x)	No	No	Land falls in corridor span 183/0-183/1. However, corridor Survey yet to be done.
K.K.Palanisamy	363/2D	Chinna-goundanur	Sankagiri	Salem	800 KV HVDC RPTL (part-x)	No	No	Check survey yet to be done
R.V.Selvakumar	167/4	Sadayampattu	kallakurichi	Villupuram	400 KV Pugalur-Thiruvallam line	No	No	Land falls in tower location No.147/0

12. The learned counsel appearing of the petitioners has cited judgments to buttress his submission that Right of property is a Constitutional Right and it cannot be deprived without following the due process of law (Manohar Vs. State of

Maharastra reported in 2012 (13) SCC 14). The first principal of law namely principle of natural Justice has been drastically violated in this case. Without affording adequate opportunity the right of property of the petitioners sought to be deprived. (Muthu Associates and another Vs. State of Maharashtra reported in 2013 (14) SCC 304).

13. In the opinion of this Court, the issues raised by the petitioners herein is no more res-intergra in view of the pronouncement made by the Hon'ble Supreme Court in Power Grid Corporation of India Vs. Century Textiles and Industries Limited and others reported in (2017) 5 SCC 143 and the judgment of this Court by the Division Bench in R.Raja and others. Vs. the District Collector, Dharmapuri and others in W.A.No.79 of 2019, dated 11.04.2019.

(i). In Century Textile and Industries Limited case cited supra, the Hon'ble Supreme Court has held that in a project of laying of electrical transmission lines by a licensee, prior consent of the land owner/occupier not required. The Hon'ble Supreme Court has also observed that a project of national importance to benefit public at large and at verge of completion any change of alignment is not feasible and set aside the judgment of the High Court referring the matter to High powered committee for fixing quantum of compensation holding that it is contrary to Section 16 of the Indian Telegraphs Act, 1885.

(ii). In R.Raja and others Vs. the District Collector, Dharmapuri District cited supra, the Division Bench dealing with the same project has held as below:-

23. Section 16 of the Indian Telegraph Act provides for a mechanism by which the Respondent No. 1 can approach the second Respondent, if there is an obstruction or resistance. It is not necessary that in each and every case the Respondent No. 1 will have to approach the second Respondent whenever there is an objection. The word objection has got a different connotation than the words resistance or obstruction. A resistance or obstruction would mean preventing the statutory body from carrying out the public duty. Whereas an objection is merely a form of protest. Further, under Section 16 of the Indian Telegraph Act, the Respondent No. 2 has got no power to go into the merits of the case and find out as to whether the alignment proposed is correct or not and there is any possibility of realignment. The prescription of Section 16

of the Indian Telegraph Act is very specific to provide aid to the Respondent No. 1 to perform its statutory duty. Considering the scope of Section 10 of the Indian Telegraph Act vis-avis Section 16 of the Indian Telegraph Act, it has been held by the Division Bench of the Delhi High Court in Scindia Potteries v. Purolator India Ltd. MANU/DE/0189/1980 : AIR 1980 Delhi 157 as follows: 9... The exercise of power under Section 10 is not conditional on compliance with the provisions of Section 16(1) of the Act. The power given under Section 10 is absolute. It is only when there is a resistance or obstruction in the exercise of that power that the occasion to approach the District Magistrate arises. If there is no resistance or obstruction, there is no occasion for the telegraph authority to approach the District Magistrate. The alleged oral protest relied upon by the Appellant appears to us to be a made up story. Two telegraph poles were affixed on the Appellants' property in February, 1974. The telephone lines and connections were thereafter given from time to time. Till the landlord-tenant dispute arose between the Appellant and M/S. Purolator India Ltd., no objection was raised by the Appellant. No doubt in April, 1978 the Appellant gave notice to the telegraph authority under Sections 17 and 19A of the Act and may be that the telephone connections in May, 1978 can be treated as the ones objected to but then Sections 17 and 19A have a different purport. The resistance and obstruction envisaged by Section 16(1) of the Act is different. This will be clear on a reading of Sub-section (1) of Section 16 of the Act. It is for the purpose of Section 188 I.P.C. that an application is to be given under Section 16(1) of the Act to the District Magistrate. Section 188, I.P.C. makes the disobedience of an order duly promulgated by the public servant an offence. Section 16 is really in aid of the discharge of statutory duty and exercise of statutory power postulated by Section 10. We are in respectful agreement with the ratio laid down therein." 11. Thus, in view of the same, nothing more is to be stated. In fact, we have also called the officer concerned and perused the records. We also permitted the learned counsel for the

appellants to do so. The officer has also explained the procedure which we have recorded supra. We do not find any malice in law or fact. The second respondent is carrying out its statutory duty. Now the entire project is over insofar as the appellants are concerned. We may note that two of the writ petitioners also joined the other in filing the writ petitions after receiving compensation, which cannot be appreciated. Similarly, one of the appellants has also received the compensation amount. It is the appellants who approached the first respondent and for the reasons known, they did not appear for hearing. They have asked for numerous documents, which is for the purpose of dragging on the proceedings. Order under Section 16(1) of the Act was passed not only on the request of the appellants but also that of the second respondent. The role available to first respondent is rather limited. It is neither a supervisory nor an adjudicating authority over the second respondent. When the element of expertise is involved and the same is undertaken by the statutory body as per law, the power of judicial review will have to be entertained with extreme caution. We cannot interfere with the matter on some apprehension expressed by the appellants. Now the substantial part of the project is over insofar as the appellants are concerned. We are not dealing with an acquisition per se. There is no material available to controvert the reasoning in the impugned orders. Admittedly, there is overwhelming public interest exists in favour of the second respondent. Every delay would cause serious financial implications among others. It might have a spiralling effect on the project as well. The appellants cannot ask the first respondent to direct the second respondent to furnish all the documents which they seek. There is no arbitrariness in the procedure adopted by the second respondent. Certainly, the appellants can seek for appropriate compensation for the diminishing value of their lands caused by the overhead lines and erection of towers. Thus, we do not find any merits in this appeal.

14. The learned Single Judge in V.Shankar and others Vs. the District Collector, Dharmapuri, considering the objections which are almost similar to the objections raised in this Writ Petition dismissed the petition and summed up as below:

It is brought to the notice of this Court that the writ petitioners along with some other persons had indulged in filing number of cases before the Courts with an idea to stall the entire project. It is contended that Crl.O.P.No.28520 of 2018 was filed to forbear them from giving police protection in any manner aiding the Officials of the Power Grid Corporation Limited & the Revenue Officials in implementing the 800 KV Raigarh (HVDC Stn) - Pugalur HVDC Stn) HVDC Bipole link with MW capacity, unless those Officials obtain enter~upon permission under the provisions of the Indian Telegraph Act, 1885 or Works of Lincensees Rules, 2006. The said Crl.O.P was dismissed by this Court. This apart, even on earlier occasion, the petitioners filed writ petitions for a direction to dispose of the representation and the present writ petition is also challenging the order passed by the District Collector in proceeding dated 27.10.2018 for removal of the obstruction. Citing all these cases, the learned senior counsel appeared on behalf of the second respondent submitted that the writ petitioners are frequently filing petitions after petitions before one Court or before the other Court to achieve their ill motives. Thus, the petitioners are in the habit of filing cases before various Courts and attempting to stall the national level project of installing transmission towers from Raigarh, Chattisgarh to Pugalur, State of Tamil Nadu. The conduct of the petitioners in filing several cases for the purpose of causing an obstruction are to be deprecated and such conduct can never be encouraged by the Courts.

15. This Court can have no second opinion about the principles laid down by the Hon'ble Supreme Court in re A.K.Kraipak and others Vs. Union of India and others reported in 1969 (2) SCC 262, C.B.Gautham Vs. Union of India and others reported in 1993 (1) SCC 78 and others judgments cited by the petitioners reiterating the essence of natural justice principle namely audi alteram partem and Nemo iudex in causa sua. As far

as, the factual aspect of this case is concerned, as pointed out in the counter affidavit it is Rs.24,000 crores project to transmit power from Chattishgarh to Tamil Nadu covering 1843 kms. This project is going to benefit the people of Tamil Nadu who will be enjoying uninterrupted power Transmission. This project covers five states at the total length of 1843 kms and substantial portion of the work is completed.

16. On the strength of the powers conferred upon the Power Grid Corporation, to enter upon the lands and to erect transmission, the 3rd and 11th respondents are carrying out the project. If really there is any element of damage, which are peculiar to the petitioners and others, they have every right to make their representation to the District Collector, to increase the height of the Tower so as to avoid passing of electrostatic field near or under their house. At about 345 kms of transmission lines are likely to pass through the state of Tamil Nadu under this project. It is not that at all points, the effect of the electrostatic field is felt. If at all at any point, the flow of electrostatic field is felt, it is always open to them to represent the Authorities of the Officers of 4th and 11th respondents, to attend the defects.

17. It is a sorry state of affairs that despite clear pronouncements of this Court on various occasions on this project, time and again under one pretext or other, writ petitions are filed on mis-information being percolate among public through sensational and irresponsible news. Those persons are bound to introspect themselves whether they are truly exposing the cause of public.

18. After enjoying all comforts of electricity in their homes and business establishment, making fake protest for public consumption and mislead the public to stall the project, which by and large going to provide uninterpreted electricity supply, is only an attempt by some vested interest through the petitioners to keep the state in dark and perennial starvation for electricity. This Court cannot be privy to the said evil design.

19. For the aforesaid reasons, the Writ Petition is dismissed. No costs. Consequently, Connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (CS-VIII)

//True Copy//

Sub Assistant Registrar

bsm

To

1. The Secretary,
Union of India,
Ministry of New and Renewable Energy,
Block-14, CGO Complex,
Lodhi Road, New Delhi - 110 003.
2. The Chairperson,
Central Electricity Authority,
Sewa Bhavan, R.K.Puram,
Section - 1, New Delhi - 110 066.
3. The Managing Director,
Power Grid Corporation of India Ltd.,
B-9, Qutab Institutional Area, Katwaria Sarai,
New Delhi - 110 016.
4. The District Collector,
Coimbatore District, Coimbatore.
5. The District Collector,
Tiruppur District, Tiruppur.
6. The District Collector,
Erode District, Erode.
7. The District Collector,
Namakkal District, Namakkal.
8. The District Collector,
Salem District, Salem.
9. The District Collector,
Dharmapuri District, Dharmapuri.
10. The District Collector,
Villupuram District, Villupuram.
11. The Deputy General Manager,
Power Grid Corporation of India,
Sankagiri TLC Office, No:3/3/27-B, Bharathy Nagar,
Salem Main Road, Sankagiri, Salem District - 637 301.

+1 cc to M/s.Aiyar & Dolia, Advocate, S.R.No.52818
+1 cc to Mr.T.L.Thirumalaisamy, Advocate, S.R.No.52895
+2 ccs to Mr.M.Guruprasad, Advocate, S.R.No.52924

W.P.No.15077 of 2019
& W.M.P.Nos.15055 to 15057 of 2019

MR(CO)
SSM(26/06/2019).