

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 03.09.2019

CORAM:

THE HONOURABLE DR. JUSTICE G.JAYACHANDRAN

Writ Petition No.15582 of 2019
and W.M.P.No.15487 of 2019

C.K.Pongiannan

.. Petitioner

/versus/

1.Power Grid Corporation of India Ltd.,
Represented by its Manager/SS,
400/230 KV Substation, Coimbatore Main Road,
K.Paramathy Post,
Karur-639 111.

2.The Deputy General Manager,
Power Grid Corporation of India Ltd.,
TLC Office, No.17/4G,
Vivekanantha Street,
Gandhi Nagar, Nasiyanoor Road,
Erode-11.
Presently having office at
No.400, Kinnimangalam,
Checkanurani,
Madurai-625514.

3.The District Collector,
Namakkal District,
Namakkal.

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the entire records pertaining to the impugned communication sent by the 1st respondent dated 21.03.2019 in Ref:SRTS-II/KRR/TLM/TDT1/ROW/F-331/2018/2293 and quash the same and consequently directing the 3rd respondent to determine the compensation for the land @ 85% of land value for Tower base area (between four legs) and 15% towards diminution of land value in the width of Right of Way(RoW) corridor due to laying of transmission line over the petitioner's agricultural land situated in S.No.295/2B1, Punjai Hectare 0.59.09, S.No.297/1E, Punjai Hec.0.01.5, S.No.297/3A, Punjai Hec.0.21.0,

S.No.297/1V, Punjai Hec.0.02.5, S.No.297/1W, Punjai Hec.0.06.0, S.No.297/6, Hec.0.71.2, and in total Punjai Hectare 1.61.0 of M.Kunnathur Village, Paramathi Velur Taluk, for erecting high tension towers and high tension lines for the project of supply pf energy through 765 KV Double Circuit Tutucorin-Salem New (Dharmapuri) line, in view of the Circular of Government of India dated 15.10.2015, issued in No.3/7/2015-Trans, and consequently directing the 1st respondent to pay the compensation as determined by the 3rd respondent for the above said petitioners agricultural land in view of the Circular of Government of India dated 15.10.2015, by considering the representation of the petitioner dated 11.02.2019 in the light of the orders of this Court in W.P.No.8520 of 2019 dated 27.03.2019.

For petitioner :Mr.S.Senthil

For Respondents :Mr.R.Thiyagarajan, Sr.c
for M/s.Iyer and Dolia for R1& R2
Mr.N.Inbanathan
Addl.Govt.Pleader for R3

O R D E R

The prayer in the writ petition is to issue a Writ of Certiorarified Mandamus, to call for the entire records pertaining to the impugned communication sent by the 1st respondent dated 21.03.2019 in Ref:SRTS-II/KRR/TLM/TDT1/ROW/F-331/2018/2293 and quash the same and consequently directing the 3rd respondent to determine the compensation for the land @ 85% of land value for Tower base area (between four legs) and 15% towards diminution of land value in the width of Right of Way (RoW) corridor due to laying of transmission line over the petitioner's agricultural land situated in S.No.295/2B1, Punjai Hectare 0.59.09, S.No.297/1E, Punjai Hec.0.01.5, S.No.297/3A, Punjai Hec.0.21.0, S.No.297/1V, Punjai Hec.0.02.5, S.No.297/1W, Punjai Hec.0.06.0, S.No.297/6, Hec.0.71.2, and in total Punjai Hectare 1.61.0 of M.Kunnathur Village, Paramathi Velur Taluk, for erecting high tension towers and high tension lines for the project of supply pf energy through 765 KV Double Circuit Tutucorin-Salem New (Dharmapuri) line, in view of the Circular of Government of India dated 15.10.2015, issued in No.3/7/2015-Trans, and consequently directing the 1st respondent to pay the compensation as determined by the 3rd respondent for the above said petitioners agricultural land in view of the Circular of Government of India dated 15.10.2015, by considering the representation of the petitioner dated 11.02.2019 in the light of the orders of this Court in W.P.No.8520 of 2019 dated 27.03.2019.

2. The learned Additional Government Pleader appearing

for the third respondent reports that as per direction of this Court dated 02.08.2019, the third respondent/District Collector, Namakkal has passed order on 16.08.2019.

3. In view of the order passed by the District Collector, Namakkal District on 16.08.2019, nothing survives in this writ petition. Hence, this Writ Petition is dismissed as infructuous. However, the petitioner is at liberty to challenge the order passed by the District Collector dated 16.08.2019, if it is so advised. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/--

Assistant Registrar(CS-VI)

//True Copy//

Sub Assistant Registrar

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To:

1.The Manager/SS,
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3.The District Collector,
Namakkal District,
Namakkal.

+1cc to the Government Pleader SR.76851

W.P.No.15582 of 2019
and W.M.P.No.15487 of 2019

BS (CO)
CB(23/10/2019)