

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.09.2019

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

W.P.No.26467 of 2019
and W.M.P.No.25833 of 2019

E.Tharumalingam

.. Petitioner

/versus/

- 1.The Secretary to Government,
Department of Electricity,
Fort St. George, Chennai.
- 2.The Chairman cum Managing Director,
TANGEDCO, 10th Floor, NPKRR Maaligai,
No.144, Anna Salai, Chennai-600002.
- 3.The Director, Transmission Projects,
TANGEDCO, 10th Floor, NPKRR Maaligai,
No.144, Anna Salai, Chennai-600002.
- 4.The Superintending Engineer,
General Construction Circle-II, (SE/GCC-II),
TNEB, Basin Bridge Power House,
Chennai-600 012.
- 5.The Assistant Executive Engineer,
G.C.C-II, TNEB, Alandur, Chennai-600 032.
- 6.The Superintending Engineer,
TANGEDCO, TNEB,
Vellore District.
- 7.The Assistant Engineer,
TANGEDCO, Tamil Nadu Electricity Board,
Kadambathur Taluk, Thiruvallur District.
- 8.The Executive Engineer,
Tamilnadu Electricity Board,
Kadambathur Taluk, Thiruvallur District.

9.The Divisional Engineer,
Power Generation & Distribution,
Tamil Nadu Electricity Board,
Thiruvallur District.

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for the issue of Writ of Mandamus, forbearing the respondents from laying of High Tension Transmission Lines over the petitioner's agriculture land situated No.130, Narasingapuram Village, Kadambathur Taluk, Thiruvallur District, bearing patta No.221, situated in Survey No.148/3 to an extent of 5 Acres and 25 Cents.

For Petitioner : Mr.B.Mohanraj

For Respondents : Mr.K.Ravikumar
Addl.Govt. Advocate for R1
Mr.Abdul Saleem
Standing Counsel for R2 to R9

O R D E R

Heard the learned Standing counsel for the TANGEDCO.

2 The petitioner herein is the owner of the property in Survey No.148/3 alleging that on 12.04.2019 some unknown persons were trespassed into the petitioner's land and introduced themselves as the officials of the Electricity department had measured the land and informed him that they are planning to put up the Power Transmission Tower in his land without any authority they are trying to erect the Tower. He has sent a representation dated 15.04.2019 to various authorities requesting them to spare his land.

3 In this writ petition, it is alleged that without any authority and notice arbitrarily the respondents 1 to 9 have entered upon the petitioner's land and trying to erect High Tension Transmission Line and Tower. Hence, he seeks for writ of mandamus directing the respondents forbearing them from laying of High Tension Transmission Lines over his agriculture land.

4 The learned Standing counsel for the TANGEDCO appears and informed this Court that the TANGEDCO has proposed to erect High Power Tension 365 KV line between Villupuram district to Thiruvallur district. Hence, they have carried on survey and had

identified the route. The petitioner's land falls within the route and therefore, requested the District Collector, Thiruvallur to remove the obstruction and same has also been informed to the petitioner. The request dated 14.05.2019 for granting of right to enter upon the petitioner's land is pending with the District Collector and without formal order from the District Collector, the respondent cannot and will not erect the Tower in the petitioner's land.

5 In the above said circumstances, it is suffice to direct the District Collector, Thiruvallur to consider the representation of the respondent dated 14.05.2019 and the representation given by the petitioner dated 15.04.2019 and pass appropriate orders within a period of six weeks from the date of receipt of copy of this order.

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

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

rpl

To

- 1.The Secretary to Government,
Department of Electricity,
Fort St. George, Chennai.
- 2.The Chairman cum Managing Director,
TANGEDCO, 10th Floor, NPKRR Maaligai,
No.144, Anna Salai, Chennai-600002.
- 3.The Director, Transmission Projects,
TANGEDCO, 10th Floor, NPKRR Maaligai,
No.144, Anna Salai, Chennai-600002.
- 4.The Superintending Engineer,
General Construction Circle-II, (SE/GCC-II),
TNEB, Basin Bridge Power House,
Chennai-600 012.

5.The Assistant Executive Engineer,
G.C.C-II, TNEB, Alandur, Chennai-600 032.

6.The Superintending Engineer,
TANGEDCO, TNEB,
Vellore District.

7.The Assistant Engineer,
TANGEDCO, Tamil Nadu Electricity Board,
Kadambathur Taluk, Thiruvallur District.

8.The Executive Engineer,
Tamilnadu Electricity Board,
Kadambathur Taluk, Thiruvallur District.

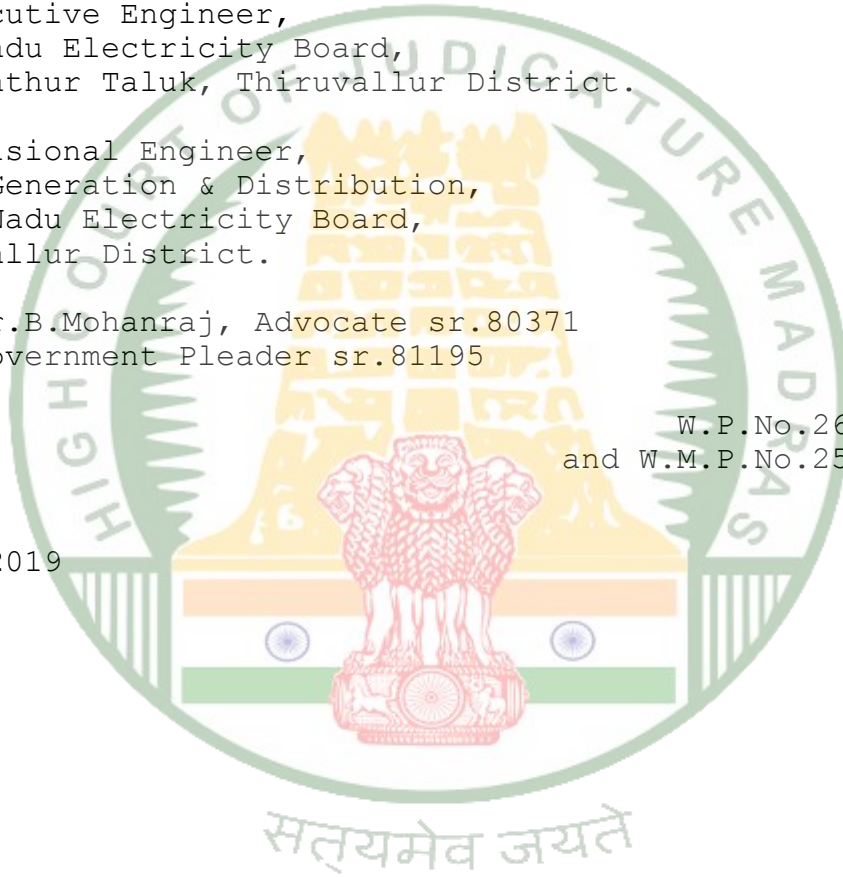
9.The Divisional Engineer,
Power Generation & Distribution,
Tamil Nadu Electricity Board,
Thiruvallur District.

+2cc to Mr.B.Mohanraj, Advocate sr.80371

+1cc to Government Pleader sr.81195

W.P.No.26467 of 2019
and W.M.P.No.25833 of 2019

rsv(co)
nr 25/10/2019



WEB COPY