



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 07.11.2019

Coram::

The Honourable Dr.Justice G.Jayachandran

W.P.No.29454 of 2019

K.L.Theivasigamani,  
S/o.Lingasamy Gounder,  
No.7/246, Sri Ganapathinagar,  
Chennimalaipalayam, Veerapandi Post,  
Tiruppur - 641 605.

... Petitioner

/versus/

1. The Chairperson,  
The Central Electricity Authority,  
Sewa Bhavan, R.K.Puram,  
Section - 1, New Delhi - 110 066.
2. The District Collector,  
Tiruppur District, Tiruppur.
3. The Manager,  
Power Grid Corporation of India Ltd.,  
Coimbatore Trichy Main Road, K.Paramathy Post,  
Karur District, Karur.
4. The Managing Director,  
Power Grid Corporation of India Ltd.,  
B-9, Qutab Institutional area,  
Katwaria Sarai, New Delhi - 110 016.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying to issue Writ of Mandamus, directing the 2<sup>nd</sup> respondent to take necessary action on petitioner representation dated 29.07.2019 & 26.08.2019 and pass orders.

For Petitioner : Mr.A.Raeshmanikandan

For R1 & R2 :Mr.N.Inbanathan,  
Additional Government Pleader

For R3 & R4 : Mr.V.Kalyana raman,  
for M/s.Aiyar & Dolia

## O R D E R

Heard the Learned Counsel for the Petitioner and the Learned Counsel for the Respondents.

2. The petitioner herein is the owner of the land in Survey No.296/1, Chennimalaipalayam village, Veerapandi Post, Tiruppur District. The respondents 3 & 4 are contemplating to erect High Tension Tower Line project through the petitioner's land. In this Writ Petition, the petitioner aggrieved by the attempt of the petitioner seeks Mandamus directing the 2<sup>nd</sup> respondent to take necessary action on petitioner's representation dated 29.07.2019 and 26.08.2019. In the said representation, the petitioner has objected for erecting the Tower Line, without providing compensation as per the Act.

3. The 3<sup>rd</sup> & 4<sup>th</sup> respondents, in their counter, has stated that the respondents are ready to pay the compensation for the damages likely to occur due to the activity of the respondents viz., foundation, tower erection and stringing. But payment of compensation cannot be pre-requisite for entering upon the petitioner's land, since the damages can be assessed only after completion of the erection work and they undertake to pay the compensation within a period of 10 days, on completion of the erection work.

4. In the light of the above fact, the respondents are hereby directed to complete the erection work preferable within a period of two months, from the date of receipt of a copy of this order. On completion of the work within a period of 10 days, the respondents should pay the compensation for the damages occurred, within a period of 10 days, in accordance with law.

5. With the above observation, the Writ Petition is disposed of. No costs.

-s/d-

Assistant Registrar(CS-IV)

True Copy

Sub-Assistant Registrar

To

1. The Chairperson,  
The Central Electricity Authority,  
Sewa Bhavan, R.K.Puram,  
Section - 1, New Delhi - 110 066.
  2. The District Collector,  
Tiruppur District, Tiruppur.
  3. The Manager,  
Power Grid Corporation of India Ltd.,  
Coimbatore Trichy Main Road, K.Paramathy Post,  
Karur District, Karur.
  4. The Managing Director,  
Power Grid Corporation of India Ltd.,  
B-9, Qutab Institutional area,  
Katwaria Sarai, New Delhi - 110 016.
- +1 CC to M/s. Aiyar and Dolia, Advocate sr 92947  
+1 CC to The Govt. Pleader sr 93036.

W.P.No.29454 of 2019

MP (CO)  
SP (06/12/2019)

सत्यमेव जयते

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