

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated:21.11.2019

Coram:

THE HONOURABLE DR. JUSTICE G.JAYACHANDRAN

Writ Petition No.32668 of 2019

and

W.M.P.No.33074 of 2019

P.Ponnusamy

.. Petitioner

/versus/

1.The District Collector,
Office of the District Collector,
Tiruppur.

2.The Senior Engineer,
Power Grid,
Palladam,
Palladam Taluk,
Tiruppur District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus forbearing the respondents from putting up any tower or line so as to carry out power grid line through petitioner's poultry farm in S.F.No.42 in Muthiyampatti Village of Dharapuram Taluk of Tiruppur District by considering the representation of the petitioner dated 14.10.2019.

For Petitioner :Mr.N.Ponraj

For Respondents:Mr.N.Inbanathan, AGP for R1

Mr.Jayesh B.Dolia for R2

ORDER

By consent, the writ petition is taken up for final disposal at the admission stage itself.

2.This Writ Petition has been filed seeking Writ of Mandamus forbearing the respondents from putting up any tower or line so as to carry out power grid line through petitioner's poultry farm in S.F.No.42 in Muthiyampatti Village of Dharapuram

Taluk of Tiruppur District by considering the representation of the petitioner dated 14.10.2019.

3.Heard Mr.N.Ponraj, learned counsel appearing for the petitioner and Mr.N.Inbanathan, learned Additional Government Pleader, who takes notice for the 1st respondent and Mr.Jayesh B.Dolia, learned counsel, who takes notice for the 2nd respondent.

4.The grievance of the petitioner herein is that the 2nd respondent herein is trying to enter upon the land of the petitioner to erect the high power electric tower inspite of his objection under Section 16(1) of the Indian Telegraph Act, 1885. If there is any objection, the licensee has to get prior order from the District Collector to enter upon the land for erection of the electric tower.

5.In this case, this Court finds that the petitioner has given his objection to the District Collector on 14.10.2019 and the same is pending before the District Collector.

6.In such circumstances, it is suffice to direct the District Collector/1st respondent herein to consider the objection made by the petitioner dated 14.10.2019 and after affording opportunity to the parties including the licensee, appropriate order shall be passed on the merit within a period of four weeks from today.

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

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

ari

To:

1.The District Collector,
Office of the District Collector,
Tiruppur.

2/5

2.The Senior Engineer,
Power Grid,
Palladam,
Palladam Taluk,
Tirppur District.

+lcc to M/s.Aiya & Dolia, Advocate sr.97687
+lcc to Government Pleader SR.NO. 97566
+lcc to Mr.N.Ponraj, Advocate sr.97014

W.P.No.32668 of 2019

svi(co)
nr 20/12/2019



WEB COPY