

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.01.2019

CORAM

THE HONOURABLE Mr.JUSTICE S.M.SUBRAMANIAM

W.P.No.16922 of 2017

and

MP.No. 18382 of 2017

1.Sunilkumar Nahata

2.Deepakumar Nahata

..Petitioners

vs

1.The District Collector,
Coimbatore,
Coimbatore District.

2.The Chief Engineer,
Transmission Project I,
TAN TRANSCO,
Tamil Nadu Electricity Board,
A-10, Thiru Vi Ka Industrial Estate,
Guindy, Chennai - 600 032.

3.The Executive Engineer,
Transmission Projects,
TAN TRANSCO,
Perundurai,
Coimbatore.

.. Respondents

Prayer: Writ Petitions filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, forbearing the respondents 1 to 3 and their subordinates from laying the 230 KV Transmission Line through the lands of the petitioner in Survey Nos.261 and 262, Peramanallur Village, Ayyampalayam, Coimbatore District.

For Petitioners : Mr.V.Karthikeyan

For Respondents : Mrs.R.Janaki

Additional Government Pleader for R1

: Mr. Abdul Saleem for R2 and R3

O R D E R

The relief sought for in the present writ petition is to forbear the respondents 1 to 3 and their subordinates from laying the 230 KV Transmission Line through the lands of the petitioner in Survey Nos.261 and 262, Peramanallur Village, Ayyampalayam, Coimbatore District.

2. The grievances of the writ petitioners are that the respondents are attempting to commission to erect High Tension electricity line in the agricultural land belongs to the writ petitioner. The objections submitted by the writ petitioners before the District Collector is yet to be considered under the provisions of the Works of Licensees Rules,2006.

3. The District Collector has to conduct an enquiry by considering the objections if any submitted by the land owner and pass orders on merits and in accordance with law. The learned counsel for the writ petitioners states that the writ petitioner has submitted his objections on 30.11.2016.

4. In this view of the matter, the first respondent/District Collector, Coimbatore, is directed to consider the objections/explanations submitted by the writ petitioners by conducting an enquiry and by affording an opportunity to the writ petitioners and pass orders on merits and in accordance with law within a period of 4 weeks from the date of receipt of a copy of this order.

5. Accordingly, the writ petition stands disposed of. No Costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

Pkn

To

1. The District Collector,
Coimbatore,
Coimbatore District.
2. The Chief Engineer,
Transmission Project I,
TAN TRANSCO,
Tamil Nadu Electricity Board,
A-10, Thiru Vi Ka Industrial Estate,
Guindy, Chennai - 600 032.
3. The Executive Engineer,
Transmission Projects,
TAN TRANSCO,
Perundurai,
Coimbatore.

+1 cc to Mr.Abdul Saleem, Advocate, S.R.No.8406

+1 cc to Mr.V.Karthikeyan, Advocate, S.R.No.7950

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SSJ(CO)
SSM(11/03/2019)