

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.08.2019

CORAM:

THE HONOURABLE MR.JUSTICE S.MANIKUMAR
and
THE HONOURABLE MR.JUSTICE SUBRAMONIUM PRASAD

W.P.No.18115 of 2017

and

WMP.No.19659 of 2017

S.M.Jagannathan

.. Petitioner

Vs.

- 1.The Government of India,
Ministry of Environment and Forest,
Regional Office (Southern Zone),
Kendriya Sadan,
4th floor, E&F Wings,
17th Main Road,
Bangalore.
2. The Principal Secretary,
The Government of Tamil Nadu,
Environment and Forest Department,
Secretariat, Fort.St.George,
Chennai.
3. The Managing Director,
State Industries Promotion Corporation of
Tamil Nadu Limited (SIPCOT),
19-A, Rukmani Lakshmipathi Road,
Egmore, Chennai-08.
4. The Chairman,
Tamil Nadu Transmission Corporation Ltd,
N.P.K.R.Ramasamy Maaligai,
144, Anna Salai, Chennai 600 002.
5. The Divisional Engineer (O&M),
Highways Department,
Thiruvallur.

6. The Principal Chief Conservator of Forests,
Government of Tamil Nadu,
Forest Department,
No.1, Jeenis Road,
Panagal Building,
Chennai - 600 015.

(R6 impleaded as per order dated 21.07.2017

in WP.No.12115/2017 and WMP.No.19659/2017) .. Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India, for a Writ of Mandamus, directing the 4th respondents herein not to erect and commission 110 KV SC line on DC tower from Sengarai Forest Land to SIPCOT for an extent of around 4 kilometers using monopole tower on the center median of the road to SIPCOT Industrial Park in Thervoy Kandigai in Palavakkam Reserve Forest Area.

For Petitioner : Mr.A.Edwin Prabakar

For Respondents: Mr.G.Karthikeyan (for R1)

Asst.Solicitor General of India

Mr.S.V.Vijay Prashanth (for R2&R6)

Addl.Government Pleader (Forests)

Mr.Akhil Akbar Ali (for R5)

Government Advocate

Mr.Sudharshana Sundar (for R3)

Mr.Abdul Saleem (for R4)

O R D E R

(Order of the court was made by S.MANIKUMAR, J.)

Prayer sought for in the present writ petition is to direct the Chairman, Tamil Nadu Transmission Corporation Ltd, Chennai, the 4th respondent herein not to erect and commission 110 KV SC line on DC tower from Sengarai Forest Land to SIPCOT for an extent of around 4 kilometers using monopole tower on the center median of the road to SIPCOT Industrial Park in Thervoy Kandigai in Palavakkam Reserve Forest Area.

2. On instructions from the Chairman, Tamil Nadu Transmission Corporation Ltd, Chennai, the 4th respondent, Mr.Abdul Saleem, learned standing counsel for Tamil Nadu Transmission Corporation Ltd, Chennai, submitted that it is not a tower, as stated in the prayer, but it is a pole to pole connection, where, forest land has been used by SIPCOT for formation of the abovesaid electric line. According to the learned counsel, erection of the pole and commission of 110 KV SC line, was completed on 05.08.2017 and nothing survives

further. Submission of the learned counsel for the 4th respondent is placed on record.

3. In view of the above, this court is of the view that the prayer sought for, has become infructuous. As of now, no Mandamus can be issued.

4. Therefore, the writ petition is dismissed. No Costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

Ars/Pkn.

To

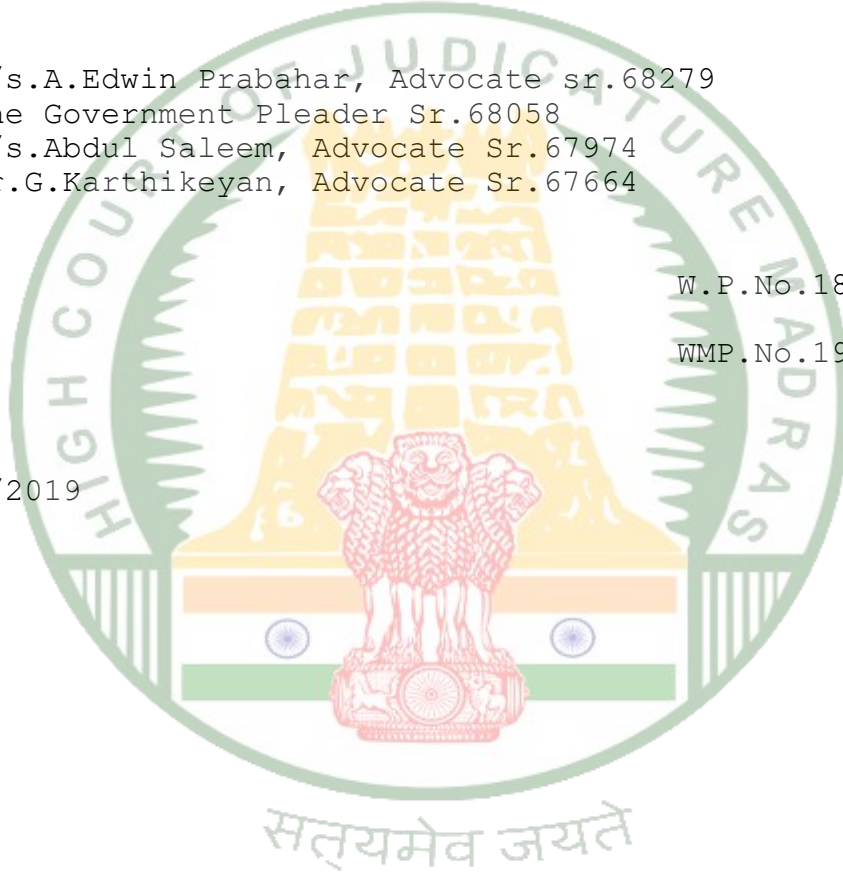
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Forest Department,
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+1cc to M/s.A.Edwin Prabahar, Advocate sr.68279
+1cc to the Government Pleader Sr.68058
+1cc to M/s.Abdul Saleem, Advocate Sr.67974
+1cc to Mr.G.Karthikeyan, Advocate Sr.67664

W.P.No.18115 of 2017
and
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srg 14/09/2019



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