

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 13.06.2019

Coram::

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

W.P.No.25315 of 2018
& W.M.P.Nos.29445 & 29446 of 2018

1. T.Chandraprakasam
2. T.Senthil Prakash Thirumoorthi
3. Muthusamy
4. Lakshmi Prabha ... Petitioners

/versus/

1. The Chairman,
Tamil Nadu Transmission Corporation Ltd.,
(TANTRANSCO)
No.144, Anna Salai,
Chennai.
2. The Chief Engineer,
Transmission,
Tamil Nadu Transmission Corporation Ltd., (TANTRANSCO)
144, Anna Salai, Chennai.
3. The Superintending Engineer,
Office of the Superintending Engineer,
Coimbatore Electricity Distribution Circle (North),
Coimbatore.
4. The Executive Engineer,
Office of the Executive Engineer,
Distribution of Thudialur,
Coimbatore Electricity Distribution Circle,
Coimbatore.
5. The District Collector, Coimbatore. ... Respondents

Prayer:- This Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the Respondents to consider the representation of the petitioners dated 08.06.2018 and 14.09.2018 and consequently forbear the respondents from in any way interfering with the petitioners' ownership and enjoyment of the lands comprised in Survey Nos.664/1, 665/1C, 665/2B, 665 in Masagoundanchettipalayam Village, Annur Taluk, Coimbatore for the purpose of erecting/installing towers for laying of electrical lines.

For Petitioner : Mr.T.Sai Krishnan

For R1 to R4 : Mr.S.K.Raameshwar

For R5 : Mr.Abdul Saleem
Government Advocate

O R D E R

Heard the Learned Counsel for the petitioners and the Learned Counsel for the respondents.

2. The writ petitioners are owners of the land upon which the respondents 1 & 2 herein proposed to erect the High transmission Electrical Pole.

3. The petitioners, who are aggrieved by the said act have given their representations to the District Collector and pending disposal of their representations, the present writ petition has been filed seeking mandamus directing the respondents to consider the representation.

4. The learned Standing counsel for the TANTRANSCO, who is the respondents 1 & 2 herein submitted that Section 10 of Telegraph Act 1885, empowers them to acquire land for installing Transmission Towers. Accordingly, they have acquired the lands of the petitioners and have started the erection work.

5. The learned Standing Counsel appearing for the respondents 1 & 2 further submitted that, the petitioners have given their representations as per Section 16 of the Indian Telegraph Act, on 14.09.2018 and the same is pending, consideration before the District Collector/5th respondent herein. The 5th respondent will process the representations and pass orders in accordance with law in due course.

6. The statement made by the Learned Counsel for the respondents 1 & 2 is recorded. The 5th respondent/the District Collector herein is directed to dispose of the representations filed by the petitioners, in accordance with law, as expeditiously as possible. Accordingly, Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar(Insp.cell)

//True copy//

Sub Assistant Registrar

bsm

1. The Chairman,
Tamil Nadu Transmission Corporation Ltd.,
(TANTRANSCO)
No.144, Anna Salai,
Chennai.
2. The Chief Engineer,
Transmission,
Tamil Nadu Transmission Corporation Ltd.,
144, Anna Salai, Chennai.
3. The Superintending Engineer,
Office of the Superintending Engineer,
Coimbatore Electricity Distribution Circle (North),
Coimbatore.
4. The Executive Engineer,
Office of the Executive Engineer,
Distribution of Thudialur,
Coimbatore Electricity Distribution Circle,
Coimbatore.
5. The District Collector, Coimbatore.

+1cc to Mr.Abdul Saleem, Advocate SR.No.49193

+1cc to Mr.T.Sai Krishnan, Advocate SR.No.48391

+1cc to Government Pleader SR.No.48624

W.P.No.25315 of 2018

& W.M.P.Nos.29445 & 29446 of 2018

CP(CO)

GMV(16/09/2019)