



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.04.2019

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THE HONOURABLE MR.JUSTICE N.SESHASAYEE

W.P. (MD) No.10681 of 2019
and
W.M.P. (MD) .No.8185 of 2019

Suzlon Gujarat Wind Park Ltd.,
Rep. by its General Manager,
T.Madhevan Pillai.

... Petitioner

Vs.

- 1.The District Collector,
Thoothukudi,
Thoothukudi District.
- 2.The Superintendent Engineer,
Non Conventional Energy Sources,
TANGEDCO, Thoothukudi,
Thoothukudi District.
- 3.The Superintendent of Police,
O/o.the Superintendent of Police,
Thoothukudi,
Thoothukudi District.
- 4.The Deputy Superintendent of Police,
Kovilpatti,
Thoothukudi District.
- 5.The Inspector of Police,
Kayathar,
Thoothukudi District.

... Respondents

PRAYER:- Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus, to direct the respondents 3 to 5 to provide adequate police protection to the petitioner's company for erection of Electric Poles and Laying of Electric Pole Lines in terms of Memorandum of Understanding (MOU) made between the Government of Tamilnadu and M/s. Suzlon Energy Ltd., entered on 24.01.2019 to establish a 200 MW Wind Power plant viz., New Villichery Project for supplying wind power to TANGEDCO by considering the petitioner's representation dated 23.04.2019 within the period that may be stipulated by this Court.



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For Petitioner : Mr.K.Ajmal Khan
Senior Counsel
for M/s.Ajmal Associates

For Respondents : Mrs.S.Bharathi
Government Advocate

ORDER

This writ petition has been filed to direct the respondents 3 to 5 to provide adequate police protection to the petitioner's company for erection of Electric Poles and Laying of Electric Pole Lines in terms of Memorandum of Understanding (MOU) made between the Government of Tamilnadu and M/s. Suzlon Energy Ltd., entered on 24.01.2019 to establish a 200 MW Wind Power plant viz., New Villichery Project for supplying wind power to TANGEDCO by considering the petitioner's representation dated 23.04.2019 within the period that may be stipulated by this Court.

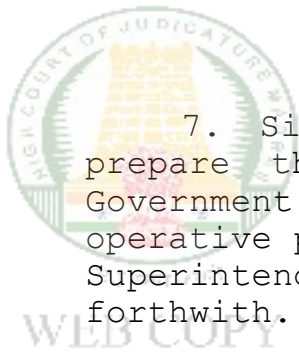
2. Heard the learned Senior Counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents.

3. The learned Senior counsel for the petitioner would submit that the petitioner is a leading Wind Mill operator. Necessary poles have been erected and electric lines have to be laid in order to enable the petitioner to install wind mills. Still they face some obstruction from certain local anti-social elements, due to which, they are not able to move forward to lay the electric line. He further submitted that a representation / complaint has been given to the fourth respondent, the Deputy Superintendent of Police, Kovilpatti, Thoothukudi District, in this regard and the same is pending consideration.

4. The learned Government Advocate (Crl. Side) appearing for the respondents, on instructions, would submit that the said complaint / representation has been given only on 23.04.2019 and some more time is required to consider the same.

5. Now, the learned Senior Counsel would inform the Court that the entire project is a time bound project under a central Government Scheme and the petitioner cannot lose time for the same and he also added that the electricity to be generated, has to be given to the second respondent TANGEDCO.

6. In view of the public cause involved in the matter, the Deputy Superintendent of Police, Kovilpatti, Thoothukudi District, is directed to take such appropriate decision as to protect the ongoing scheme by the evening of 29.04.2019.



7. Since there cannot be adequate time for this Court to prepare this order and issue the certified copy, the learned Government Advocate (Criminal side) is required to communicate the operative portion of this order to the fourth respondent, the Deputy Superintendent of Police, Kovilpatti, Thoothukudi District, forthwith.

8. With the above direction, this Writ Petition is disposed of. No Costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AD-I)

/ True Copy /

Sub Assistant Registrar (CS-II)

To

1. The District Collector,
Thoothukudi,
Thoothukudi District.
 2. The Superintendent Engineer,
Non Conventional Energy Sources,
TANGEDCO, Thoothukudi,
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 3. The Superintendent of Police,
O/o. the Superintendent of Police,
Thoothukudi,
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 4. The Deputy Superintendent of Police,
Kovilpatti,
Thoothukudi District.
 5. The Inspector of Police,
Kayathar,
Thoothukudi District.
- +1 CC to M/s. AJMAL ASSOCIATES, Advocate
(SR-63934[F] dated 29/04/2019)

W.P. (MD) No. 10681 of 2019
27.04.2019