



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE **G.R.SWAMINATHAN****W.P. (MD) No.8158 of 2019**

S.Shanmugam

... Petitioner

Vs

- 1.The District Collector,
Thirunelveli,
Thirunelveli District.
- 2.The Revenue Divisional Officer,
Thirunelveli,
Thirunelveli District.
- 3.The Tahasildar,
Manoor Taluk,
Thirunelveli District.
- 4.The Superintending Engineer,
Thirunelveli Electricity Distribution Circle,
Tamil Nadu Generation and Distribution
Corporation (TANGEDCO),
Maharaj Nager, Thirunelveli District - 627 011.
- 5.M/s.Sulzon Gujarat Wind Part Private Limited,
Represented by tis Administrative Manager,
Administrative Office, Madurai Main Road,
Kayathar, Thoothukudi District,
Head Office Address:
No.104, 1st Floor,
Delta Wing Raheja Towers,
177, Annasalai, Chennai - 2.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 1 to 4 to take necessary steps to stop the installation process of High voltage electric tower by the 5th respondent near my land bearing S.No.710/5F situated at Pranchery village, Manoor Taluk and shift the same to some other place and considering the petitioner's representation dated 21.03.2019 within a stipulated time in accordance with law.



For R1 to R3 : Mr.K.Mu.Muthu
Additional Government Pleader

For R4 : Mr.S.M.S.Johnny Basha

For R5 : Mr.Ajmal Khan, Senior Counsel
For M/s.Ajmal Associates

ORDER

Heard the learned counsel appearing for the writ petitioner, the learned standing appearing for the fourth respondent and the learned senior counsel appearing for the fifth respondent.

2.The writ petitioner wants this Court to restrain the fifth respondent from installing the high voltage wind energy generator near his land. This Court posed a specific question to the writ petitioner as to whether the fifth respondent is carrying on any activity on the petitioner's land. The petitioner's counsel responded by saying that in the event of the fifth respondent installing the petition mentioned towers., he would not be able to carry on his agricultural operations or deepening of the well. He stated that to deepen the well he may have to go for controlled explosion. The learned standing counsel appearing for the fifth respondent categorically stated that the fifth respondent would not interfere with the writ petitioner's rights to carry on agricultural activities or deepening of the well in accordance with law.

3.Recording the said undertaking given by the learned counsel appearing for the fifth respondent, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(Crl.Side)

// True Copy //

Sub Assistant Registrar(CS)

To:

1.The District Collector,
Thirunelveli,
Thirunelveli District.

<https://hcservices.ecourts.gov.in/hcservices/>
2.The Revenue Divisional Officer,
Thirunelveli,
Thirunelveli District.



3.The Tahasildar,
Manoor Taluk,
Thirunelveli District.

+1 CC to M/s.AJMAL ASSOCIATES, Advocate in SR-59382
+1 CC to M/s.M.PRABU, Advocate in SR-59424
+1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No.59660

W.P. (MD) No.8158 of 2019
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PK/25.04.2019 : 3P/7C