



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **01.10.2019**

CORAM:

THE HONOURABLE **MR. JUSTICE M.SUNDAR**

W.P (MD) No.19896 of 2019

WEB COPY

K.Panneeerselvam

... Petitioner

Vs.

1.The District Collector,
Sivagangai District.

2.The Revenue Divisional Officer,
Karaikudi,
Sivagangai District.

3.The Tahsildar,
Karaikudi Taluk,
Sivagangai District.

4.The Superintending Engineer,
TANGEDCO, Karaikudi Taluk,
Sivagangai District.

5.The Assistant Executive Engineer,
TANGEDCO,
Karaikudi Taluk,
Sivagangai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents 4 and 5 herein to pay suitable compensation for deprivation of petitioner's valuable land measuring 90 cents in Survey No.186/25 situated in a prime location of Trichy-Rameswaram National Highways and behind the Kovilkur Chemicals, together with interest, solatium and all penal interest within a reasonable time as may be fixed by this Court.

For Petitioner : Ms.K.R.Shiva Shankari
for Mr.S.Srinivasa Raghavan

For Respondents : Ms.V.P.M.Vaishnavi
Government Advocate
for R.1 to R.3
: Mr.E.P.Venkateswar
for Mr.S.M.S.Johby Basha
for R.4 and R.5



ORDER

Ms.K.R.Shiva Shankari, learned counsel on record for writ petitioner is before this Court.

2. Ms.V.P.M.Vaishnavi, learned Government Advocate, accepts notice on behalf of respondents 1 to 3 and Mr.E.P.Venkateshwar for Mr.S.M.S.Johby Basha, learned Counsel accepts notice on behalf of respondents 4 and 5.

3. With consent of learned counsel on both sides, main writ petition is taken up, heard out and is being disposed of.

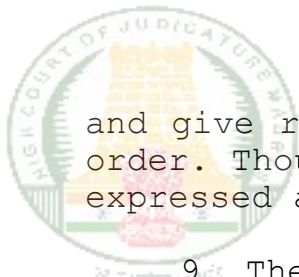
4. The main writ petition turns on a very narrow compass, as it is one seeking mandamus qua disposal of writ petitioner's representation dated 22.07.2019 wherein writ petitioner has sought compensation on the ground that high tension electricity towers have been erected in such a manner that high tension electricity cables are passing above the writ petitioner's land.

5. Notwithstanding several averments made in the affidavit filed in support of the writ petition, notwithstanding several grounds raised / contentions urged in the affidavit filed in support of instant writ petition, learned counsel for writ petitioner abridges the scope of the writ petition and submits that it will suffice if the first respondent is directed to dispose of the aforementioned representation of the writ petitioner, dated 22.07.2019, details of which have been alluded to supra.

6. Learned State counsel submitted that the first respondent is the authority who shall consider the aforementioned representation dated 22.07.2019 made by the writ petitioner (page No.14 of the typed set of papers forming part of the case file).

7. The aforesaid representation dated 22.07.2019 shall be disposed of by the first respondent on its own merits and in accordance with law as expeditiously as possible and in any event, within a period of eight (8) weeks from the date of receipt of a copy of this order.

8. It is made clear that in the course of the representation being considered by the first respondent, if the rights of any third party / parties or any third party entity / entities is / are likely to be affected, the first respondent shall put on notice and give reasonable opportunity to such third party / parties or such third party entity / entities, before disposing of the aforementioned writ petitioner's representation. Though obvious, it is made clear that the first respondent shall put the fourth respondent Superintending Engineer of Tamil Nadu Generation and Distribution Corporation Limited (TANGEDCO), Karaikudi Taluk, Sivagangai District on notice



and give reasonable opportunity to fourth respondent before passing order. Though obvious, it is also made clear that this Court has not expressed any opinion or view on the merits of the matter.

9. The proceeding / order of disposal shall be communicated by the office of the first respondent to the writ petitioner as well as fourth respondent under due acknowledgement within seven (7) working days from the completion of aforesaid exercise.

10. Instant Writ Petition is disposed of with the above directions. There shall be no order as to costs.

Sd/-

Assistant Registrar(AD-I)

// True Copy //

Sub Assistant Registrar(CS)

SSL
To

- 1.The District Collector,
Sivagangai District.
- 2.The Revenue Divisional Officer,
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Sivagangai District.
- 3.The Tahsildar,
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- 4.The Superintending Engineer,
TANGEDCO, Karaikudi Taluk,
Sivagangai District.
- 5.The Assistant Executive Engineer,
TANGEDCO, Karaikudi Taluk,
Sivagangai District.

+1CC TO MR.S.SRINIVASA RAGHAVAN, Advocate Sr. No.91138
+1CC TO THE SPECIAL GOVERNMENT PLEADER SR.No. 91189

W.P(MD)No.19896 of 2019
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CS(CO)
TR(16.10.2019) 3P 8C