



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:18.12.2019

CORAM:

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P (MD)No.26624 of 2019

M.Palaru

... Petitioner

Vs.

1.The District Collector,
Thoothukudi District,
Thoothukudi.

2.The Superintending Engineer (GCC)
TANTRANSCO,
K.Pudur,
Madurai-625007

3.The Executive Engineer (GCC)
TANTRANSCO,
Maharaja Nagar,
Tirunelveli.

4.The Assistant Executive Engineer,
TANGEDCO,
Maharaja Nagar,
Palayamkottai,
Tirunelveli-627 002.

5.The Superintending Engineer,
TANTGEDCO,
Ettayapuram Road,
Thoothukudi.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents No.2 to 5 not to erect the high tension transmission towers in petitioner's agricultural lands situated in R.Survey.Nos.54/1, 54/2 and 55/5 Saminatham Village, Ottapidaram Taluk, Thoothukudi District, on the basis of the petitioner's representation dated 07.12.2019.

For Petitioner: Mr.M.Sankar

For R1 : Mr.Pandiarajan
Additional Government Pleader

For R2 to R5 : Mr.S.M.S.Johnny Basha
Standing Counsel



ORDER

Heard Mr.M.Sankar, learned counsel appearing for the petitioner, Mr.Pandiyarajan, learned Additional Government Pleader appearing for the first respondent and Mr.S.M.S.Johnny Basha, learned Standing Counsel appearing for the respondents 2 to 5.

2.This Writ petition has been filed by the petitioner praying for issuance of a Writ of Mandamus, directing the respondents 2 to 5 not to erect the High Tension Transmission Towers in petitioner's agricultural lands, situated in R.Survey.Nos.54/1, 54/2 and 55/5 Saminatham Village, Ottapidaram Taluk, Thoothukudi District, on the basis of his representation, dated 07.12.2019.

3.The learned counsel appearing for the petitioner submitted that without the consent of the petitioner, the respondents 2 to 5 have marked four places in the the petitioner's agricultural land for laying High Tension Transmission Towers. He further submitted that the respondents 2 to 5 have not sent any prior notice to the petitioner in this regard. Hence, the petitioner's wife sent a detailed representation in the month of July 2019 to the first respondent. Since no action has been taken, the present writ petition has been filed.

4.When the matter came up for hearing, the learned Standing Counsel appearing for the respondents 2 to 5, upon notice, submitted that the respondents have no objection for allowing the prayer sought for by the petitioner. The respondents 2 to 5 have no intention of erecting any transmission Towers on the petitioner's agricultural land, but, only the wires are going above the petitioner's agricultural land.

5.As it is stated that there is no erection of High Tension Transmission Towers on the petitioner's agricultural land, the same is recorded and the Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)



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To

The District Collector,
Thoothukudi District,
Thoothukudi.

WEB COPY

+1 CC to MR.M.SANKAR, Advocate (SR-105692[F] dated 18/12/2019)

+1 CC to SPL.GP (SR-106157[F] dated 20/12/2019)

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18.12.2019

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