

THE HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.1125 OF 2019

DATED :24.01.2019

Between :

Gaddampally Madhava Reddy,
S/o.Ranga Reddy, Aged about 53 yrs,
Occu : Agriculture, R/o.H.No.1-47,
Gaggalapally Villae,
Nagarkurnool Mandal and District & another.

..

Petitioners

And

The Chairman and Managing Director,
M/s.Transmission Corporation of Telangana Limited,
Vidyuth Soudha, Hyderabad & others.

..

Respondents

This court made the following :

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ORDER :

Heard learned counsel for the petitioners and Sri R.Vinod Reddy, learned Standing counsel for the respondents.

2. Petitioners claim to be the owners of land to an extent of Ac.9-28 guntas in Sy.No.404/A of Gaggalapally Village, Nagarkurnool Mandal and District. The respondent-Transmission Corporation laid transmission line to augment supply of electricity to provide 24 hours power supply to farmers. In the process of increasing the capacity of transmission lines, the Corporation has taken up erection of 220 KV line from 400 KV Sub-Station Dindi to Nagarkurnool Sub-Station. Approvals for the said purpose were granted by the Government in February, 2016. As can be seen from the letter dated 25.10.2018 addressed to the petitioners, where under a decision was made consequent to the directions issued by this Court in W.P.No.13176 of 2018, totally 138 towers are to be erected, out of which 135 towers were already erected and the stringing line is nearly completed. The tower 18/3 on the property of the petitioners was also erected.

3. Petitioners made a representation on 03.04.2018 requesting to change the alignment of transmission line to a corner of their property.

4. This Court by order dated 17.04.2018 directed the competent authority to consider the representation and to take decision. In pursuant thereof, decision was taken and

communicated to the petitioners vide letter dated 25.10.2018, which is impugned in this writ petition.

5. As fairly submitted by learned counsel for the petitioners, even by the time the representation was made on 03.04.2018 the towers were already erected in the petitioners land and on the adjacent properties. Laying of transmission lines requires technical assessment and feasibility. As this being high tension line, which carry heavy load of electric power, laying of transmission line requires consideration of several technical parameters. After elaborate consideration, the course of transmission line is finalized. Petitioners contend that their adjacent land is a Government land and if the transmission line is taken through the corner of their property it would save their land.

6. As can be seen from the sketch relied upon by the petitioners', request is formation of transmission line in triangular shape, from the pole erected. This cannot be technically feasible and in technical matters the prayer for changing of transmission line cannot be granted. As seen from the decision communicated to the petitioners', majority of the work was already completed. Thus, at this stage, no direction can be issued to change the alignment to suit the convenience of petitioners. The change of alignment issue can be taken up only at the initial stage, when the drawings are made and proposals are finalized before working is grounded. But once the exercise was taken up, towers are erected and stringing lines are already drawn to great extent, no direction to change the alignment can be granted.

7. Accordingly, the Writ Petition is dismissed. However, it is needless to observe that to the extent of land affected by laying of transmission tower, compensation determined be paid to the petitioner, as expeditiously as possible, preferably within six (6) weeks from the date of receipt of copy of this order. Petitioners are also entitled to receive compensation for the damage caused to the standing crop and/or grown up trees, if any. Pending miscellaneous petitions shall stand closed.

24th January, 2019
Rds

P.NAVEEN RAO,J