

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.06.2020

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.No.26348 of 2012

M.P.No.1 of 2012

(Heard through Video Conferencing)

Porchelvan

...Petitioner

vs.

1.The District Collector,
Kancheepuram District Collectorate Campus,
Kancheepuram.

2.The Superintending Engineer,
Public Works Circle,
A-10, Thiru vi ka Industrial Estate,
Chennai-600 032.

3.The Superintending Engineer,
Power Grid Corporation India Limited,
Sri Perumbudur,
Kancheepuram District.

4.The Superintending Engineer,
Kancheepuram Electricity Distribution Circle,
Kancheepuram.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, to call for the records of the first respondent in Rc./11383/2012/M1 dated 25.08.2012 and quash the same.

For Petitioner : Mr.S.V.Ramamurthy

For Respondents : M/s.A.Madhumathi
Special Government Pleader
for R2
Mr.M.Elumalai
Government Advocate for R1
Mr.R.Thiyagarajan
Senior Counsel
for M/s.AIYAR & DOLIA for R3
Mr.Gunaraj for R4.

ORDER

Heard Mr.S.V.Ramamurthy, learned counsel appearing for the petitioner and Mr.M.Elumalai, learned Government Advocate appearing for the first respondent and Ms.A.Madhumathi, learned Special Government Pleader appearing for the second respondent and Mr.R.Thiyagarajan, learned Senior Counsel appearing for M/s.AIYAR @ DOLIA for the third respondent and Mr.Gunaraj, the learned counsel appearing for the fourth respondent.

2. The petitioner has impugned the order passed by the first respondent dated 25.08.2012, rejecting the objections raised by the petitioner for construction of 230KV D/C Lines from Kalpakkam

to Kancheepuram by Power Grid Corporation of India Limited, 3rd respondent herein.

3. The learned Senior Counsel appearing for the third respondent submitted that the work has been completed as early as 31.08.2012.

4. From the order sheet, it is seen that no interim order was granted, when the writ petition was entertained on 21.09.2012 and only notice was ordered. Considering the legal position, which has been settled by the Hon'ble Supreme Court of India, with regard to location of high tension towers and other establishments by the 3rd respondent, Power Grid Corporation and the Electricity Board, there is very little scope of interference in the writ petition against such order. In this regard, it is relevant to refer to the decision of the **Hon'ble Supreme Court of India reported in 2017 5 SCC Page 143 [Power Grid Corporation of India Ltd., Vs. Century Textiles and Industries Limited and Others]** and decision of this Court reported in **2013 1 MLJ 56 [Sri Vignesh Yarns Pvt., Ltd.,**

**rep. by its Managing Director V. S.Subramaniam, S/o
Senimalai Gounder & Others].**

5. Thus, considering all these aspects, this Court finds no ground to interfere with the impugned order. Accordingly, the writ petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

04.06.2020

ssb

Index : Yes/No

Internet:Yes/No

Speaking Order/Non-speaking Order

To

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T.S.SIVAGNANAM,J.,

ssb



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