

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.03.2020

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THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.7068 of 2020
and WMP.No.8426 of 2020

K.N. Kandasamy

... Petitioner

vs.

1. The Chairman and Managing Director,
Tamil Nadu Generation and Distribution Corporation Limited,
10th Floor, NPKRR Maligai,
144, Anna Salai,
Chennai - 600 002.
2. The Chief Engineer,
Non-Conventional Energy Sources,
TANGEDCO, 2nd Floor, Eastern Wing,
Chennai - 600 002.
3. The Superintending Engineer,
Non-Conventional Energy sources,
TANGEDCO, Kolumam Road,
Udaumalpet - 642 126,
Tiruppur District.
4. The District Collector,
Tiruppur District.
5. The Executive Officer,
Kannivaadi Town Panchayat,
Kannivaadi Village,
Dharapuram Taluk,
Tiruppur District.
6. Spring Renewable Energy Private Limited,
Office 001, Level G, Pentagon,
P-5, Magarapatta City,
Hadapsar, Pune - 411 013.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the 1 to 5 respondents forbearing the 6th

respondent from erection of wind mills comprised in Survey No.456 situated at Kenathankattu Thottam, Kathasamypalayam, Nanjathalayur Post, Chinnadharapuram via, Dharapuram Taluk, Tiruppur District.

For Petitioner : Mr. Karan and Uday

For Respondent : Mr.M. Varun Kumar
Standing Counsel [R1 to R3]

Mr.S.N. Parthasarathi
Government Advocate [R4 & R5]

ORDER

This writ petition has been filed for issuance of a writ of mandamus, forbearing the 6th respondent from erecting the wind mills within 250 meters from the property belonging to the petitioner.

2. The learned counsel for the petitioner submitted that the petitioner have already given a representation objecting the location of the erection of wind mills on 11.03.2020 and the same is yet to be considered by the respondents.

3. Heard Mr.Karan and Uday, learned counsel for the petitioner, Mr.M.Varun Kumar, learned Standing Counsel for the respondents 1 to 3 and Mr.S.N. Parthasarathi, learned Government Advocate for the respondents 4 and 5.

4. Taking into consideration the facts and circumstances of the case and the limited relief that has been sought for in this writ petition, there shall be a direction to the 4th respondent to consider the representation of the petitioner made on 11.03.2020 and take appropriate action in accordance with law within a period of four(4) weeks from the date of receipt of copy of this order. The 4th respondent shall put the 6th respondent on notice, before any final decision is taken in the matter. The petitioner is directed to make a fresh representation to the 4th respondent along with a copy of the earlier representation dated 11.03.2020 and a copy of this order.

This writ petition is disposed of with the above direction.
No costs. Connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

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To

1. The Chairman and Managing Director,
Tamil Nadu Generation and Distribution Corporation Limited,
10th Floor, NPKRR Maligai,
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Non-Conventional Energy Sources,
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Tiruppur District.
5. The Executive Officer,
Kannivaadi Town Panchayat,
Kannivaadi Village, सत्यमेव जयते
Dharapuram Taluk,
Tiruppur District.

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srg 24/09/2020