

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.03.2020

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.7201 of 2020

P. Poongothai ... Petitioner

vs.

1. The District Collector-cum-Executive Magistrate,
Salem District.

2. The Secretary (CEA),
Central Electricity Authority Seva Bhavan,
R.K. Puram, Sector - I,
New Delhi - 110 066.

3. The Chair Person-cum-Managing Director,
Power Grid Corporation of India Ltd.,
(Corporate Office),
Saudamini Plot No.2, Sector - 29,
Near IFFCO Chowk,
Gurgaon, Haryana - 122 001.

4. The General Manager,
Power Grid Corporation of India Ltd.,
Sangagiri TLC,
No.3/3/27-B, Bharathi Nagar,
Salem Main Road,
Sangagiri, Salem District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the respondents to consider the claim of the petitioner for payment of compensation of Rs.5,00,160/- in the light of her representation dated 13.12.2019.

For Petitioner : Mr.G. Punniakoti
For Respondents : Mr.G. Rajesh
Government Advocate [R1]

Mr.Kalyanaraman [R3 & R4]

ORDER

This writ petition has been filed for issuance of a writ of mandamus directing the respondents to consider the representation made by the petitioner on 13.12.2019 and to pay compensation.

2. The case of the petitioner is that the 3rd respondent Corporation had installed the transmission towers in various locations including the property belonging to the petitioner. According to the petitioner, a notice was issued on 24.08.2019 and the petitioner was asked to attend for an enquiry. According to the petitioner, the installation of the transmission tower, will virtually prevent the petitioner from putting the property to any further use and therefore, the petitioner is claiming for compensation for the entire property. The petitioner has made a representation in this regard on 13.12.2019. Since the same was not considered, the present writ petition has been filed before this Court seeking for appropriate directions.

3. Heard Mr.G.Punniakoti, learned counsel for the petitioner, Mr.G.Rajesh, learned Government Advocate for the 1st respondent and Mr.Kalyanaraman, learned counsel for the respondents 3 and 4.

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 1st respondent to consider the representation made by the petitioner on 13.12.2019 and deal with the same strictly in accordance with law. The 1st respondent before passing any orders, shall issue notice to the 3rd and 4th respondents and shall afford an opportunity to them and thereafter pass final orders. The 1st respondent shall pass final orders within a period of twelve(12) weeks from the date of receipt of copy of this order. The petitioner is directed to make a fresh representation to the 1st respondent along with all the relevant documents and a copy of this order.

This writ petition is disposed of with the above directions. No costs.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To

1. The District Collector-cum-Executive Magistrate,
Salem District.

2. The Secretary (CEA),
Central Electricity Authority Seva Bhavan,
R.K. Puram, Sector - I,
New Delhi - 110 066.

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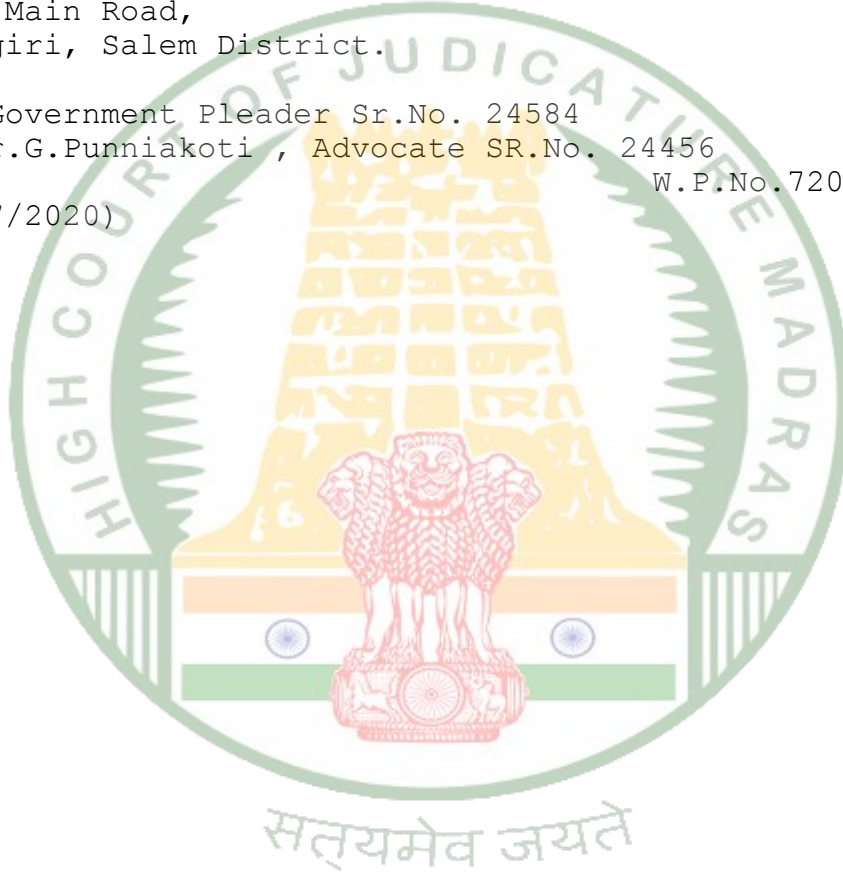
4. The General Manager,
Power Grid Corporation of India Ltd.,
Sangagiri TLC,
No.3/3/27-B, Bharathi Nagar,
Salem Main Road,
Sangagiri, Salem District.

+1 cc to Government Pleader Sr.No. 24584

+1cc to Mr.G.Punniakoti , Advocate SR.No. 24456

W.P.No.7201 of 2020

A.SK(28/07/2020)



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