

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.06.2020

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

W.P.No.8369 of 2020
& W.M.P.No.10054 of 2020

M.Venkatesh Babu,
S/o.G.Munirathana Naidu,
Murukancheri Village,
Thiruvallur Taluk and District.

... Petitioner

Vs.

1. The Secretary to Government,
Electricity Department,
Secretariat, Chennai - 600 009.
2. The Chairman,
The Tamil Nadu Electricity Board,
Anna Salai, Chennai - 600 002.
3. The Director,
Transmission Projects,
TAN TRANSCO,
X Floor, NPKRR Malgai,
No.144, Anna Salai, Chennai - 600 002.
4. The Superintendent Engineer,
GCCII 230 KVA,
TANTRANSCO,
Tamil Nadu Electricity Board,
No.10, Thiru.Vi.Ka.Industrial Estate,
Guindy, Chennai - 600 032.
5. The Chief Engineer,
Transmission Project - I,
TANTRANSCO,
Tamil Nadu Electricity Board,
A 10, Thiru.Vi.Ka. Industrial Estate,
Guindy, Chennai - 600 032

... Respondents

PRAYER in W.P.No.8369 of 2020: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus praying to forbearing the respondents from passing the existing route to the high electric supply line for

Thirunindravur to Paparambakkam 110 KV project through the lands of the petitioner comprised in Survey No.20/5 land of an extent of acre 1.08 cents, Survey No.20/3C land of an extent of acre 0.84 cents in all an extent of acre 1.92 cents situated in Murukkancheri Village, Thiruvallur Taluk and District.

For Petitioner : Mrs.Chitra Sampath,
Senior Counsel
for Mr.A.C.Chandrasekar

For Respondents : Mr.Vijayhemanth

O R D E R

This matter is taken up for hearing through Video-Conferencing.

2. Mr.Vijayhemanth, Learned Counsel takes notice for the respondents. Though the prayer in the Writ Petition is widely worded, Mrs.Chitra Sampath, Learned Senior Counsel appearing for the petitioner would submit that the petitioner would be satisfied if the respondents follow the procedure prescribed under Section 16(1) of Indian Telegraph Act by approaching the concerned District Magistrate (District Collector).

3. In the light of the said submission and in the light of the judgment of the Division Bench in D.Rajendran Vs. Tamil Nadu Electricity Board W.A.No.1294 of 2017, dated 31.07.2018, this Writ Petition is disposed of with a direction that the respondents shall not erect any tower without getting appropriate orders from the District Magistrate/District Collector, as contemplated under Section 16(1) of the Indian Telegraph Act. The District Collector, shall follow the procedure prescribed under Section 16 of Indian Telegraph Act, while conducting the enquiry. No costs. Consequently, connected Miscellaneous Petition is closed.

सत्यमेव जयते
s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

bsm

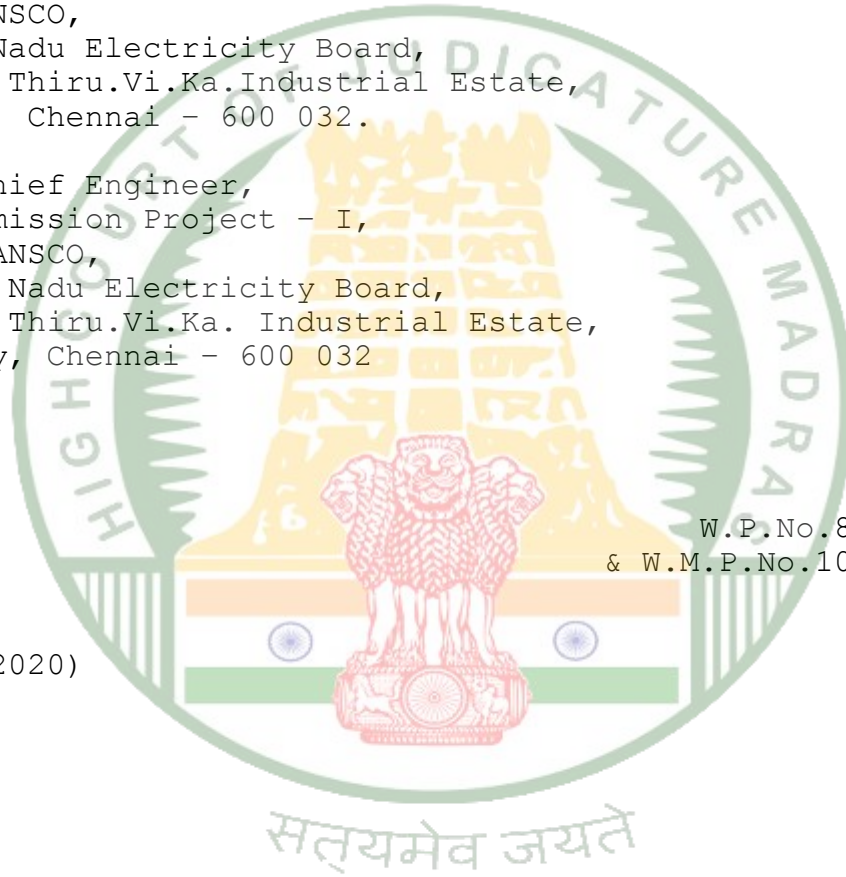
To

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SVI (CO)
SP(29/07/2020)

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