

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.08.2020

CORAM:

THE HONOURABLE Mr. JUSTICE N. ANAND VENKATESH

W.P.No.10994 of 2020

K.Karunakaran

.. Petitioner

-Vs-

1. The Chief Engineer (Transmission),
TANGEDCO, Tamil Nadu Electricity Board,
6th Floor, 144, Anna Salai,
Chennai - 600 002.
2. The Junior Engineer / Executive,
Power Grid Corporation of India Limited,
No.1, Pachiappa Nagar, T.V.Nallur Road,
Ulundurpet - 606 107, Villupuram District.
3. The District Collector,
District Collectorate,
Kallakurichi,
Kallakurichi District.
4. The Assistant Horticultural Officer,
Office of the Horticulture,
Thirunavalur, Kallakurichi District.
5. The Village Administrative Officer,
161 - Anndikuzhi, 160 - Vijayankuppam,
Ulundurpet Taluk, Kallakurichi District.

.. Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the third respondent to consider and pass orders on the petitioner's representation dated 03.07.2020, for balance payment of compensation for the Cashew Nut Trees felled by the second respondent Corporation, within a stipulated period of

time.

For Petitioner : Mr.B.Abdul Samath
For Respondents : Mr.Abdul Saleem for R-1
Mr.Jayesh Dolia for R-2
Mr.K.Parameshwaran
Government Advocate
for R-3 to R-5

ORDER

(The case has been heard through video conference)

This Writ Petition has been filed for issuance of a Writ of Mandamus, directing the third respondent to consider the representation made by the petitioner on 03.07.2020 and to give compensation payable for the trees that were felled by the respondent-TANGEDCO at the time of erecting the High Tension Overhead Electricity Line in the property belonging to the petitioner.

2. The case of the petitioner is that the second respondent had erected the High Tension Overhead Electricity Line and during the said process, nearly 40 cashew nut trees were cut and removed. The petitioner made a representation to the third respondent on 03.07.2020 seeking for compensation for the trees that were felled in the process of erecting High Tension Overhead Electricity Lines. Since the said representation was not considered, the present Writ Petition has been filed before this Court seeking for appropriate direction.

3. Heard Mr.B.Abdul Samath, learned counsel for the petitioner; Mr.Abdul Saleem, learned counsel for the first respondent; Mr.Jayesh Dolia, learned counsel for the second respondent and Mr.K.Parameshwaran, learned counsel for the respondents 3 to 5.

4. Taking into consideration the facts and circumstances of the case and the limited relief sought for by the petitioner, there shall be a direction to the third respondent to consider the representation made by the petitioner on 03.07.2020 strictly in accordance with law, after getting necessary report from the fourth respondent. The third respondent shall pass appropriate orders within a period of eight weeks from the date of receipt of a copy of this order. The petitioner is directed to make a fresh representation to the third respondent along with all the documents and also a copy of this order.

5. This Writ Petition is disposed of with the above directions. There is no order as to costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

- 1.The Chief Engineer (Transmission),
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+1cc to Mr.B.Abdul Samath, Advocate (SR.27635)

RSK (CO)
RV (07/09/2020)

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