

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 24.09.2020

CORAM

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

WP.No.11728/2020 & WMP.No.14417/2020

S.Duraisamy

..Petitioner/Petitioner

Versus

- 1.The District Collector  
Tirupur District, Tirupur. ...1<sup>st</sup> Respondent/1<sup>st</sup> Respondent
- 2.Tamil Nadu Transmission Corporation Limited  
[TANTRANSCO], rep.by its Managing Director,  
144, Anna Salai, Chennai.
- 3.The Superintending Engineer  
General Construction Circle  
Tatabad, Coimbatore 641 012 ...Respondents 2 & 3/Third Parties

\*\*RR2&3 impleaded vide order of this Court  
dated 24.09.2020 in WMP.No.16428/2020

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the respondents to take necessary action of the petitioner's representation dated 06.02.2020 and pay compensation to the petitioner for using the petitioner's property measuring about 3.60 acres in SF.No.231/1C1 [Old No.231/1] and 3.5 cents in SF.No.230/1 at Jodhampatti Village, Madathukulam Taluk, Tiruppur District for construction of HT Electricity towers and lines.

For Petitioner : Mr.M.Sivavarthanan  
For R1 : Mr.Annai Ezhil, GA  
For RR2 & 3 : Mr.Abdul Saleem

ORDER

(1)This writ petition has been filed for the issue of a writ of mandamus, directing the 1<sup>st</sup> respondent to act upon the representation made by the petitioner on 06.02.2002 wherein the petitioner has sought for compensation from the 2<sup>nd</sup> respondent who is attempting to utilise the property of the petitioner for erecting tower and for drawing High Tension wires.

(2)The case of the petitioner is that the petitioner is the owner of the subject property. The 2<sup>nd</sup> respondent is attempting to erect a High Tension Tower in the property belonging to the petitioner and the petitioner has made a representation to the 1<sup>st</sup> respondent seeking for compensation. Since the same was not considered, the present writ petition has been filed before this Court.

(3)Heard the learned counsel for the petitioner ; Mr.Annai Ezhil, learned Government Advocate accepting notice on behalf of the 1<sup>st</sup> respondent and Mr.Abdul Saleem, learned Standing counsel accepting notice on behalf of respondents 2 and 3.

(4)Taking into consideration the facts and circumstances of the case and the limited relief sought for in this writ petition, there shall be a direction to the 1<sup>st</sup> respondent to consider the representation made by the petitioner on 06.02.2020 and deal with the same strictly in accordance with law. The 1<sup>st</sup> respondent shall give sufficient opportunity to the petitioner and the 2<sup>nd</sup> respondent and shall pass final orders within a period of four weeks from the date of receipt of a copy of this order. The petitioner is directed to make a fresh representation to the 1<sup>st</sup> respondent along with all the relevant documents and also a copy of this order. Till final orders are passed, the present Status Quo shall be maintained.

(5)This writ petition is disposed of with the above direction. No costs. Consequently, the connected miscellaneous petition is closed.

s/d-  
Assistant Registrar

True Copy

Sub-Assistant Registrar

To

- 1.The District Collector  
Tirupur District, Tirupur.
- 2.The Managing Director,  
Tamil Nadu Transmission Corporation Limited  
[TANTRANSCO],  
144, Anna Salai, Chennai.

3.The Superintending Engineer  
General Construction Circle  
Tatabad, Coimbatore 641 012.

+1 CC to Mr.M.Sivavarthanan, Advocate sr 31237.

+1 CC to The Govt. Pleader sr 31305.

WP.No.11728/2020

PT (CO)  
SP (19/10/2020)



WEB COPY