

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.09.2020

CORAM :

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.12683 of 2020
& W.M.P.No.15666 of 2020

Hindustan Engineering Training Centre
An Educational Society Rep by
its Registrar P.O.Box No. 1306 No.40 GST
Road St.Thomas Mount Chennai Petitioner

-Vs-

- 1 The District Collector
Chengalpattu District
- 2 Tamilnadu Transmission Corporation Limited
Rep by its Superintending Engineer
SIPCOT Guindy Chennai
- 3 The Executive Engineer
Tamil Nadu Transmission Corporation Limited.
Poonamallee.
- 4 The Assistant Executive Engineer
Tamil Nadu Transmission Corporation
Limited. Marimalai Nagar. Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus forbearing the respondents from in any manner carrying on with any work relating to the erection of high tension electricity transmission lines over the lands of the petitioner in S.Nos. 315 324 325 327 332 to 348 350 354 355 358 388 390 to 393 396 397 399 401 402 404 to 407 409 410 418 422 423 to 425 428 to 432 479 and 480 in Padur Village in Thiruporur Panchayat Union and to consider the representations made by the petitioner.

For Petitioner : Mr.G.Kalyan Jhabakh
for M/s.Surana and Surana

For Respondent : Mr.Mani Gopi - for R1
Mr.Abdul Saleem - for R2 to R4

O R D E R

This writ petition has been filed for the issue of a Writ of Mandamus forbearing the respondents 2 to 4 from carrying on with any work relating to the erection of high tension electricity transmission lines over the subject properties belonging to the petitioner.

2. The grievance expressed by the petitioner is that the officials of the respondents 2 to 4 have entered upon the property of the petitioner and are attempting to install high tension electricity transmission lines inspite of the objections raised by the petitioner. The petitioner has also submitted the objections before the first respondent and the same is pending.

3. Heard the learned counsel for the petitioner and Mr. Abdul Saleem learned counsel for the respondents 2 to 4 and Mr. Mani Gopi, learned counsel for the first respondent.

4. Taking into consideration the facts and circumstances of the case, once the petitioner has made an objection to the respondents 2 to 4 not to erect high tension electricity transmission lines in their property, the respondents will have to necessarily seek permission of the District Collector before proceeding further with the work under Section 16 of the Telegraph Act.

5. In view of the above, there shall be a direction to the respondents 2 to 4 to seek for the permission to enter upon the property of the petitioner by filing appropriate application before the first respondent. The first respondent shall consider the same in accordance with law and pass necessary orders within a period of four weeks from the date of filing of the application by respondents 2 to 4. Till such orders are passed, the respondents shall be restrained from carrying out the above work in the property belonging to the petitioner.

6. The writ petition is disposed of with the above directions. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

1. The District Collector,
Chengalpattu District.

3. The Executive Engineer,
Tamilnadu Transmission
Corporation Ltd.,
Poonamallee

+1cc to M/s.Surana and Surana, Advocate in SR.NO..29977

W.P.No.12683 /2020

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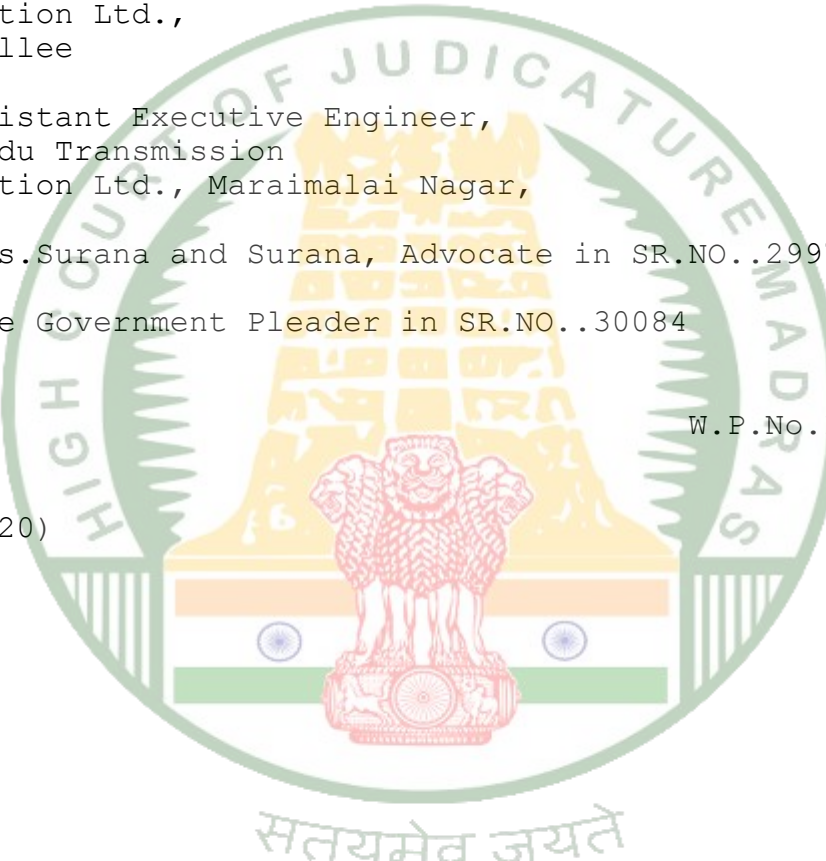
istant Executive Engineer,
du Transmission
tion Ltd., Maraimalai Nagar,

s.Surana and Surana, Advocate in SR.NO..2997

e Government Pleader in SR.NO..30084

W.P.No.1

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