



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.07.2020

CORAM:

THE HONOURABLE MR.JUSTICE **G.R.SWAMINATHAN**

W.P. (MD)No.6836 of 2020

and

W.M.P (MD) .No.6240 of 2020

WEB COPY

Chinnaponnu

... Petitioner

Vs

1.The State of Tamil Nadu

Represented by the Principal Secretary to Government
Department of Energy
Fort.St.George
Chennai 600 009

2.The Chairman

Tamil Nadu Transmission Corporation Limited
No.144, Annasalai, Chennai 600 002

3.The District Collector

Pudukkottai District
Pudukkottai

4.The Superintending Engineer

Tamil Nadu Transmission Corporation Limited
Mannarpuram, Tiruchirappalli
Tiruchirappalli District

5.The Assistant Executive Engineer

TLC/TANTRANSCO
Pudukkottai -01

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents 1 to 4 to transfer the High Tension Electricity Tower installed in Survey No.360/5F and in Survey No.360/6B1 of Vanathirayanpatti Village, Viralimalai Taluk, Pudukkottai District and direct the respondents 1 to 4 to install the same in Survey No.360/6E1 or in Survey No.360/5B of Vanathirayanpatti Village, Viralimalai Taluk, Pudukkottai District based on the petitioner's representations dated 05.02.2019, 29.04.2020, 30.04.2020 and 02.05.2020 given to the respondents 1 to 4.

For Petitioner
For R1 to R5

: Mr.T.M.Madasamy
: Mrs.S.Srimathy
Special Government Pleader



ORDER

Heard the learned counsel for the petitioner and the learned Special Government Pleader for the respondents 1 to 5.

2. The petitioner seeks removal of petition mentioned towers from the petition mentioned survey numbers.

3. The learned counsel for the petitioner would contend that the consent of the petitioner was not obtained before such installation or erection. This Court may not be in a position to give direction as sought for in the writ petition. However, the petitioner is definitely to entitle to appropriate compensation.

4. The petitioner is permitted to submit a detailed representation before the third respondent. The third respondent will hear the petitioner and assess the loss caused to the petitioner and on that basis award compensation. The third respondent shall conclude the exercise of awarding the compensation within a period of eight weeks from the date of submission of the representation by the petitioner herein; the compensation award shall be complied with by the concerned authority without any delay.

5. The Writ Petition is disposed of on these terms. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Msa

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1. The Principal Secretary to Government
The State of Tamil Nadu
Department of Energy
Fort.St.George
Chennai 600 009

<https://hcservices.ecourts.gov.in/hcservices/>



2.The Chairman
Tamil Nadu Transmission Corporation Limited
No.144, Annasalai, Chennai 600 002

3.The District Collector
Pudukkottai District
Pudukkottai

4.The Superintending Engineer
Tamil Nadu Transmission Corporation Limited
Mannarpuram, Tiruchirappalli
Tiruchirappalli District

W.P. (MD)No.6836 of 2020
and

W.M.P (MD) .No.6240 of 2020
15.07.2020

VB (20.07.2020) 3P 5C