



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.07.2020

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD)No.7271 of 2020

and

W.M.P. (MD)No.6719 of 2020

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Jarina Begum

... Petitioner

Vs

1.The State of Tamilnadu
Rep. by its Chairman,
Tamilnadu Generation and Distribution Corporation
(TANGEDCO),
800, Anna Salai,
Chennai-600 002.

2.The Superintending Engineer,
Central Office,
TANGEDCO,
NRT, Road,
Theni-625 531.

3.The Assistant Engineer,
TANGEDCO,
Thamaraikulam,
Periyakulam-625 601.

4.The Assistant Executive Engineer,
TANGEDCO,
Periyakulam-625 601.

5.The Project Director,
National Highways Authority of India,
Dindigul.

(R5 is suo motu impleaded vide Court
order dated 09.07.2020 in W.P. (MD)No.7271 of 2020)

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents not to erect HD Transformer in (or) through the petitioner's land in Sy.No.1247/1A (14 cents) in Unjampatti Village, Periyakulam Taluk, Theni District, without obtaining the prior permission from the District Collector, Theni under Indian Telegraph Act, 1885.



For Petitioner : Mr.P.M.Vishnuvarthanan
For R1 to R4 : Mrs.M.Rajeswari
For R5 : Mr.C.Arul Vadivel @ Sekar

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ORDER

Heard the learned counsel on either side.

2.The grievance of the petitioner is that the respondents are proposing to erect the transformer in the petition mentioned land that belongs to the petitioner.

3.The petitioner's counsel states that without getting prior permission from the District Collector, Theni, under Indian Telegraph Act, 1885, the erection or installation should not take place.

4.When the matter was taken up for hearing, the learned counsel appearing for NHAI submitted that the transformer in question was installed quite some time back in the land acquired for NHAI. Even according to the petitioner, she is retaining 14 cents of land. The transformer in question is not proposed to be erected in the petitioner's 14 cents of land.

5.This submission made by the learned Standing Counsel for NHAI is placed on record.

6.I am therefore of the view that nothing further remains to be adjudicated. The Writ Petition is disposed of by recording the aforesaid submission. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (Crl.Side)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

rmi

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and
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