



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.08.2020

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD)No.9702 of 2020

and

W.M.P. (MD)No.8708 of 2020

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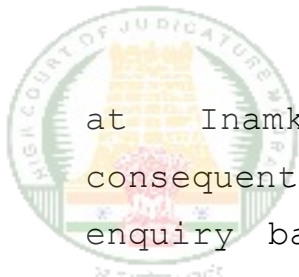
... Petitioner

Vs.

- 1.The District Collector,
Thanjavur District, Thanjavur.
- 2.The District Collector,
Thiruvarur District, Thiruvarur.
- 3.The Superintendent Engineer,
TANGEDCO,
Trichy Central Construction Circle,
Chennai-Theni Highway,
Mannarpuram,
Trichy-620 020.
- 4.The Executive Engineer,
TANGEDCO,
Chief Engineer/TP-II,
Trichy Central Construction Circle,
Chennai-Theni Highway,
Mannarpuram,
Trichy-620 020.
- 5.The Executive Engineer,
TANGEDCO,
Kumbakonam Division,
Kumbakonam,
Thanjavur District.
- 6.The Assistant Executive Engineer,
TANGEDCO,
Kumbakonam,
Thanjavur District.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, forbearing the respondents 3 to 6 from erecting High Tension Tower and Electric Wire line in the petitioner's property in S.F.NO.690/2A situated



at Inamkiliyur, Valangaiman Taluk, Thiruvarur District, consequently direct the 1st and 2nd respondents to conduct the enquiry based upon the representations of the petitioner dated 03.07.2020 and 03.08.2020 pursuant to the petitioner's request for seeking alternative way for erecting proposed High Tension Tower and Electric Wire line adjacent to the petitioner's property, intended to be erecting by the respondents 3 to 6.

For Petitioner : Mr.S.Gokulraj for M/s.S.Prabha
For Respondents : Mrs.S.Srimathy
Special Government Pleader
(for R1 and R2)

M/s.M.Rajeswari
for Mr.S.M.S.Johnny Basha
(for R3 to R6)

O R D E R

Heard the learned counsel on either side. By consent of both parties, this writ petition is taken up for final disposal at the admission stage itself.

2.The petitioner states that there has been an illegal installation of High Tension Tower and drawing of electric wire lines on her land by TANGEDCO. The lands are located in Thiruvarur District.

3.The petitioner's counsel also states that a number of trees were uprooted and that the petitioner has been put to loss. It is the District Magistrate who has to decide regarding compensation. The petitioner is not agreeable to the compensation fixed. The petitioner can always go to the District Court for asking enhanced compensation. Likewise, the District Magistrate can also decide regarding deviating the project under Section 17 of the Indian Telegraph Act.

4.The petitioner has given a representation dated 03.07.2020 in this regard. Since the land is located within the limits of the second respondent, I direct the second respondent to conduct an enquiry on the said representation. The second respondent will hear the writ petitioner as well as the TANGEDCO officials in this regard. The second respondent shall conclude the enquiry within in a period of four weeks from the date of receipt of copy of this order. Till then, the status-quo as on date will continue.



5.This writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

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Sd/-

Assistant Registrar (AD II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

sjj

Note: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 District Collector,
Thanjavur District, Thanjavur.

2.The District Collector,
Thiruvarur District, Thiruvarur.

+1 CC to M/s.S. PRABHA, Advocate (SR-14823[F] dated 24/08/2020)

+1 CC to SGP (SR-14958[F] dated 26/08/2020)

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24.08.2020

KM (26.08.2020) 3P 5C