



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.10.2020

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD)Nos.13401, 13420, 13411, 13417 & 13424 of 2020

and

W.M.P. (MD)Nos.11189, 11196, 11192, 11195 & 11199 of 2020 of 2020

N.Nachimuthu ... Petitioner in W.P.(MD).NO.13401 of 2020
M.Kavitha ... Petitioner in W.P.(MD).NO.13420 of 2020
V.N.Ramasamy ... Petitioner in W.P.(MD).NO.13411 of 2020
K.Kathirvel ... Petitioner in W.P.(MD).No.13417 of 2020
L.Lokeshwari ... Petitioner in W.P.(MD).No.13424 of 2020

Vs.

- 1.The District Collector,
Karur District,
Karur.
- 2.The Superintendent Engineer,
TANGEDCO,
Trichy Central Construction Circle,
Chennai-Theni Highway,
Mannarpuram,
Trichy-620 020.
- 3.The Executive Engineer,
TANGEDCO,
Chief Engineer/TP-II,
Trichy Central Construction Circle,
Chennai-Theni Highway,
Mannarpuram,
Trichy-620 020.
- 4.The Superintendent Engineer,
TANGEDCO,
TNEB Complex,
Kovai Road,
Karur District.
- 5.The Executive Engineer,
TANGEDCO,
TNEB Complex,
Kovai Road,
Karur District.



6.The Assistant Executive Engineer,
TANGEDCO,
Chinnadharapuram,
Karur District.

7.The Assistant Engineer,
TANGEDCO,
Thennilai,
Karur District.

... Respondents in all Cases

Prayer in WP.(MD).No.13401/2020:

Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, forbearing the respondents 2 to 7 from erecting High Tension Tower and Electric Wire line in the petitioner's property in S.F.Nos.1264/A, 1251, 1249, 1250, 1273/B2 and 1255/6 situated at Velauthampalayam, Thennilai East Village, Punjai Pugalur Taluk, Karur District and consequently, direct the first respondent to conduct enquiry based upon the representations of the petitioner dated 21.09.2020 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 2 to 7.

Prayer in WP(MD). 13420/ 2020 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus forbearing the respondents 2 to 7 from erecting High Tension Tower and Electric Wire Line in the petitioner's property in S.F.Nos.1360/1, 1360/4, 1359/2, 1359/1, 1365/A, 451/2, 440/B2, 450/B2, 443 and 456/1 situated at Velauthampalayam, Thennilai East Village, Punjai Pugalur Taluk, Karur District consequently direct the 1st respondent to conduct the enquiry based upon the representations of the petitioner dt 21.9.2020 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 2 to 7

Prayer in WP(MD). 13411/ 2020 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus forbearing the respondents 2 to 7 from erecting High Tension Tower and Electric Wire Line in the petitioner's property in S.F.Nos.1255/5 and 1346/2 situated at Velauthampalayam, Thennilai East Village, Punjai Pugalur Taluk, Karur District consequently direct the 1st respondent to conduct the enquiry based upon the representations of the petitioner dt 21.9.2020 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 2 to 7

Prayer in WP(MD). 13417/ 2020 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus forbearing the respondents 2 to 7 from erecting High Tension Tower and Electric Wire Line in the petitioner's property in S.F.Nos.1356/1, 1357/1, 1357/3, 1357/5, 1357/7, 1357/8, 1357/9, 1357/10, 1357/11 and 1357/12 situated at Velauthampalayam, Thennilai East Village, Punjai Pugalur Taluk, Karur District consequently direct the 1st respondent to conduct the enquiry based upon the representations of the petitioner dt 21.9.2020 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 2 to 7

Prayer in WP(MD). 13424/ 2020 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus forbearing the respondents 2 to 7 from erecting High Tension Tower and Electric Wire Line in the petitioner's property in S.F.Nos.1348/1, 1348/2, 1357/6, 1356/2, 1359/3, 1358/1, 1360/2, 1357/4, 1360/5, 1349/2, 1349/3, 1356/1, 441/B, 450/B1 and 451/1 situated at Velauthampalayam, Thennilai East and West Village, Punjai Pugalur Taluk, Karur District consequently direct the 1st respondent to conduct the enquiry based upon the representations of the petitioner dt 21.9.2020 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

For Petitioner : Mr.S.Gokulraj

For R1 : Mr.C.Ramar

Additional Government Pleader

For R2 to R7 : Mrs.M.Rajeswari

for Mr.S.M.S.Johny Basha

Standing Counsel

COMMON ORDER

Heard the learned counsel appearing for the petitioners and the learned Additional Government Pleader appearing for the first respondent and the learned standing counsel appearing for the respondents 2 to 7.



2.The petitioners allege that even though alternative routes are available, TANGEDCO Authorities went ahead and erected high tension tower and electric wire lines on the petition mentioned land.

3.The petitioners' specific objection is that a number of trees would be uprooted and that the petitioner would be put to loss. The petitioners have already given a representation in this regard before the first respondent.

4.I, therefore, direct the first respondent to consider the petition mentioned representations and pass orders within a period of four weeks from the date of receipt of a copy of this order. It is for the first respondent to take an appropriate decision. The first respondent can either exercise his power under Section 17 of the Indian Telegraph Act and call upon the TANGEDCO to deviate the route or the first respondent can fix compensation himself. If the petitioners are aggrieved by the compensation so fixed by the first respondent, they can always move the District Court for enhanced compensation. Since I have directed the first respondent to decide the matter within a period of four weeks, status quo as on date will continue for a period of four more weeks.

5.These Writ Petitions are disposed of accordingly. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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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,
Karur District,
Karur.

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



2.The Superintendent Engineer,
TANGEDCO,
Trichy Central Construction Circle,
Chennai-Theni Highway,
Mannarpuram,
Trichy-620 020.

3.The Executive Engineer,
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Karur District.

7.The Assistant Engineer,
TANGEDCO,
Thennilai,
Karur District.

+5 CC to M/s.S. GOKULRAJ, Advocate (SR-18840 to 18844[F] dated
01/10/2020)

+1 CC to M/s.GP (SR-18944[F] dated 05/10/2020)

W.P.(MD)Nos.13401, 13420, 13411, 13417 & 13424 of 2020
and
W.M.P.(MD)Nos.11189, 11196, 11192, 11195 & 11199 of 2020

01.10.2020

NR (08.10.2020) 5P 14C

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