



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.12.2020

CORAM

THE HONOURABLE MR.JUSTICE **ABDUL QUDDHOSE**

W.P. (MD)No.13636 of 2020

and

W.M.P. (MD)No.11345 of 2020

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T.Chellapandian

: Petitioner

Vs.

1.The Chairman / Managing Director,
Tamil Nadu General and Distribution Corporation Limited,
10th Floor, NPKRR Maligai,
No.144, Anna Salai, Chennai -2.

2.The District Collector,
Tirunelveli District, Tirunelveli.

3.The Superintending Engineer,
TANGEDCO, Tirunelveli.

4.The Executive Engineer,
Tamil Nadu Transmission Corporation Limited,
Maharaja Nagar, Tirunelveli, Tirunelveli District.

5.The Junior Engineer,
TANGEDCO,
Padalaiyarkulam, Kalakkadu,
Tirunelveli District.

: Respondents

PRAYER:- Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus, forbearing the respondents from erecting HT line in and over the petitioner's agricultural lands in S.Nos.573/2C, 574/1B1, 577/2, 578/1, 578/2, 578/3A, 579/2A1B, 580/2A1 and 581/1A situated at Puliayankulam Village, Kadampoduvalvu Revenue Village, Nanguneri Taluk, Tirunelveli District by considering the representation of the petitioner, dated 11.09.2020.

For Petitioner

For R1, R3 to R5

For R2

:Mr.A.Saravanan

:Mrs.M.Rajeswari

for Mr.S.M.S.Jonny Basha

:Mr.A.Muthu Karuppan

ORDER

(This petition was heard through the Video Conferencing)

This Writ Petition has been filed for a Mandamus to forbear the respondents from erecting HT line in and over the petitioner's agricultural lands in S.Nos.573/2C, 574/1B1, 577/2, 578/1, 578/2,



578/3A, 579/2A1B, 580/2A1 and 581/1A situated at Puliayankulam Village, Kadampoduvalvu Revenue Village, Nanguneri Taluk, Tirunelveli District by considering the representation of the petitioner, dated 11.09.2020.

2. Heard Mr.A.Saravanan, learned Counsel for the petitioner, Mrs.M.Rajeswari, learned Counsel for Mr.S.M.S.Johnny Basha, learned Counsel for R1, R3 to R5 and Mr.A.Muthu Karuppan, learned Additional Government Pleader, for the second respondent.

3.It is the case of the petitioner that he is the absolute owner of the aforementioned agricultural lands. It is his case that without any acquisition and without any notice, certain persons claiming to be the representatives of the 4th and 5th respondents have surveyed the petitioner's lands and it is brought to his knowledge that High Tension Electric Tower and Electric Line are going to be erected over his property. In such circumstances, he has given a representation on 11.09.2020 to the respondents requesting them not to erect High Tension Electric Tower and Electric Line over his agricultural lands. According to him, till date, the said representation has not been considered by the respondents. In such circumstances, the present Writ Petition has been filed.

4.The relief sought for in this Writ Petition is an innocuous relief. No prejudice will be caused to the respondents, if the representation of the petitioner, dated 11.09.2020 is considered by them on merits and in accordance with law. It is the case of the petitioner that he is the absolute owner of the aforementioned agricultural lands and that the respondents are attempting to erect High Tension Electric Tower and Electric Line over his lands. He has given representation on 11.09.2020 to the respondents requesting them not to erect High Tension Electric Tower and Electric Line over his agricultural lands, which, admittedly, till date, has not been considered. It is for the respondents to consider the said representation on merits and in accordance with law. Since the representation of the petitioner has not been considered till date, a direction will have to be necessarily issued by this Court.

5.For the foregoing reasons, this Court directs the second respondent to consider the representation of the petitioner, dated 11.09.2020 seeking to forbear the respondents from erecting of HT line in and over the petitioner's agricultural lands in S.Nos.573/2C, 574/1B1, 577/2, 578/1, 578/2, 578/3A, 579/2A1B, 580/2A1 and 581/1A situated at Puliayankulam Village, Kadampoduvalvu Revenue Village, Nanguneri Taluk, Tirunelveli District and pass final orders on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order, after affording sufficient opportunity to the petitioner with regard to his contention.



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6. With the aforesaid directions, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CSIII)

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/ /2020

Sub Assistant Registrar(CS)

cmr

To

The District Collector,
Tirunelveli District, Tirunelveli.

+1 CC to M/s.SPL GP (SR-24679[F] dated 09/12/2020)

W.P. (MD) No.13636 of 2020
07.12.2020

KVN(CO)

KB(17.12.2020) 3P 3C