



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.08.2020

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD)No.22325 of 2019

and

W.M.P(MD) .No. 19090 of 2019

WEB COPY

P.Shanmugam

... Petitioner

Vs.

- 1.The District Collector
Karur District, Collectorate
Thanthonimalai, Karur
- 2.The Thasildar
Pugalur Taluk, Karur District
- 3.The Chief Manager,
Power Grid Corporation India Limited,
400/230 KV Sub Station,
K.Paramathi Post, Karur District.
- 4.The Chairman/ Managing Director
Tamil Nadu General and Distribution
Corporation Limited, 10th Floor,
NPKRR Maligai, No.144, Anna Salai, Chennai 2.
- 5.M/s.Spring Renewable Energy Private Limited
Represented by its Director
No.001, Level G.Pentagon P.S.,
Magarpatta City, Hadapsar, Pune 411 013,
Also at
No.105, TNHB Colony, Gandhigramam South,
Pasupathipalayam, Karur.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, forbearing the respondents from erecting any electric High Tension Tower or drawing High Tension Electric Lines in S.F.80/1, 81/B4 and 81/A of Nedungur Village, Pugalur Taluk, Karur District on the basis of the petitioner's representation dated 14.10.2019 within a time frame fixed by this Court.

For Petitioner	:	Mr.K.Suresh
For R1 & R2	:	Mrs.S.Srimathy
		Special Government Pleader
For R3 & R4	:	Ms.M.Rajeswari
		For Mr.S.M.S.Jonny Basha
For R5	:	Mr.Raguvaran Gopalan

O R D E R

Heard the learned counsel on either side.



2.This writ petition has been filed for forbearing the contesting respondent from putting up high tension tower in the petition mentioned land.

3.It appears that the petitioner's land may be spared. But then the petitioner is not quite sure.

4.I make it clear that if the private respondent intends to put up any tower on the petition mentioned land and if the petitioner obstructs the same, the fifth respondent has to necessarily move the District Magistrate/first respondent for getting permission in terms of Section 16 of the Indian Telegraph Act 1885. Regarding the scope and ambit of Section 16 of the Act, I have already dealt with in order dated 07.08.2020 in W.P(MD).No.6319 of 2020. I have also held that if the land owners obstruct or resist, the licensee cannot carry out the works without getting permission from the District Magistrate.

5. This writ petition stands disposed of on the same lines. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Msa

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, Collectorate,
Thanthonimalai, Karur.

2.The Thasildar,
Pugalur Taluk, Karur District.

W.P. (MD)No.22325 of 2019

and

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SPU(25.08.2020) 2P 3C

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