



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.07.2020

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD)No.13492 of 2017

R.Srinivasan

.... Petitioner

Vs.

1. The District Collector,
Madurai District,
Madurai.

2. The Executive Engineer,
General Construction Circle,
Tamil Nadu Electricity Board,
K.Pudur,
Madurai -7.

3. The Executive Officer,
General Construction and Distribution,
Tamil Nadu Electricity Board,
Bye-Pass Road,
Angu Nagar, Dindigul.

....Respondents

PRAYER: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 2 & 3 to provide compensation a sum of Rs.1 Crore and 34 Lakhs (Rs.2 Lakhs per Cent) for the loss of the petitioner's lands an extent of 67 cents by the act of drawing electrical transmission line over the petitioner's land in S.No.64/1B, Thathampatti Village, Vadipatti Taluk, Madurai District.

For Petitioner : Mr.D.Ghandiraj

For Respondents : For R1-Mr.S.Angappan,
Government Advocate.
For R2 & R3-Ms.S.Srimathy,
Special Government Pleader

O R D E R

Heard the learned counsel appearing for the Writ Petitioner and the learned Government Advocate for the first respondent and the learned Special Government Pleader for the respondents 2 & 3.

2. The petitioner alleges that since the respondents 2 & 3 have laid transmission line over the petitioner's land, he has been put to immense loss. He has therefore filed a petition before the first respondent as early as on 19.12.2016 claiming compensation. His request for compensation has not been considered so far. Hence, the petitioner has come up with this present Writ



3. The specific contention of the learned counsel for the petitioner is that he has suffered loss on account of the acts committed by respondents 2 and 3.

4. The first respondent is statutorily obliged to quantify the compensation that is to be paid by respondents 2 and 3. The first respondent is therefore directed to enquire into the petitioner's representation. Of course the first respondent will hear both the parties and quantify the compensation payable by respondents 2 and 3 within a period of sixteen weeks from the date of receipt of a copy of this order. Respondents 2 and 3 are obliged to honour the award to be passed by the first respondent. If the petitioner is having grievance that the compensation fixed by the first respondent is not sufficient, the petitioner has an option of moving the District Court under Section 16(3) of the Indian Telegraph Act 1885.

5. With the above direction, this writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

VRN/PMU

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,
Madurai District,
Madurai.
2. The Executive Engineer,
General Construction Circle,
Tamil Nadu Electricity Board,
K.Pudur, Madurai -7.

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



3. The Executive Officer,
General Construction and Distribution,
Tamil Nadu Electricity Board,
Bye-Pass Road,
Angu Nagar, Dindigul.

WEB COPY

+1 CC to Mr.D. GANDHIRAJ, Advocate (SR-13395[F] dated
31/07/2020)

+1 CC to SGP (SR-13443[F] dated 31/07/2020)

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KM (26.08.2020) 3P 6C