



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.02.2020

CORAM:

WEB COPY

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P (MD) NO.27286 OF 2019

and

W.M.P (MD) Nos.23565 and 23567 of 2019

A.Thangavel

: Petitioner

. vs .

1. The District Collector,
Karur District,
Karur.

2. The Chief Manager,
Power Grid Corporation India Limited,
400/230 KV Sub-Station,
K.Paramathi (Post),
Karur District.

3. The Tahsildar,
Punjai Pugalur Taluk,
Karur District.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus calling for the records pertaining to the impugned order passed by the first respondent in Na.Ka.Aa3/16704/2019, dated 14.11.2019 and to quash the same and consequently to direct the first respondent to conduct enquiry afresh by furnishing all the documents sought for by the Petitioner vide his representation dated 5.11.2019 and pass orders after considering the objection of the Petitioner pertaining to the erection of high tension tower by the second respondent in S.F.Nos.552, 556,551, 526/1 and 526/3 at Kuppam Post, Punjai Pugalur Taluk, Karur District.

For Petitioner	: Mr.S.Gokul Raj
For Respondent	: Mrs.J.Padmavathi Devi
1 and 3	Special Govt.Pleader
For Respondent-2	: Mr.Suresh Kumar
	for M/s.Aiyar and Dolia



O R D E R

This Writ Petition has been filed seeking a Writ of Certiorarified Mandamus to quash the impugned order passed by the first respondent in Na.Ka.Aa3/16704/2019, dated 14.11.2019 and consequently to direct the first respondent to conduct enquiry afresh by furnishing all the documents sought for by the Petitioner vide his representation dated 5.11.2019 and pass orders after considering the objection of the Petitioner pertaining to the erection of high tension tower by the second respondent in S.F.Nos.552, 556,551, 526/1 and 526/3 at Kuppam Post, Punjai Pugalur Taluk, Karur District.

2.Heard the learned counsel appearing on either side and perused the materials placed before this Court.

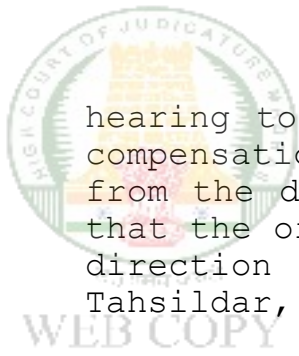
3.The matter relates to laying of High Tension electrical towers for the benefit of the second respondent/The Power Grid Corporation of India Limited. The first respondent is the District Collector, who is empowered to conduct an enquiry, has already conducted the same under Section 16 of the Indian Telegraphic Act and passed orders, which is now impugned in this Writ Petition. In the said impugned order, in the last paragraph, the first respondent has directed the Tahsildar to constitute a Committee to assess the compensation for the Petitioner in lieu of the laying of High Tension Electrical Towers. In the said order, it has further directed the Tahsildar to take into consideration any damages to the crops or residential premises and include the same in the award of compensation.

4.The learned counsel for the third respondent has produced the Google Map and also the sketch for the Tower Lines describing the survey numbers through which they are installed.

5.After hearing the learned counsels appearing on either side for some time, it is agreed by the learned counsel for the Petitioner that the Tahsildar, Punjai Pugalur Taluk, Karur District may conduct an enquiry, as directed by the District Collector, Karur District and the Petitioner may be given an opportunity of personal hearing and make his objections and furnish the relevant documents for the purpose of getting his compensation, as directed by the first respondent/The District Collector, Karur District.

6.The learned Special Government Pleader appearing for the respondents 1 and 3 and the learned counsel for the second respondent also have agreed for the same.

7.Accordingly, the third respondent/The Tahsildar, Punjai Pugalur Taluk, Karur District is directed to conduct an enquiry on the subject matter issue after affording an opportunity of personal



hearing to the Petitioner and others concerned, if any and fix the compensation payable to the Petitioner within a period of four weeks from the date of receipt of a copy of this order. It is made clear that the order of the first respondent is not set aside and only a direction is given to implement the direction given to the Tahsildar, Pujai Pugalur Taluk, Karur District.

8. With the above direction and observation, the Writ Petition stands disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Karur District,
Karur.
2. The Chief Manager,
Power Grid Corporation India Limited,
400/230 KV Sub-Station,
K.Paramathi (Post),
Karur District.
3. The Tahsildar,
Punjai Pugalur Taluk,
Karur District.

+1 CC to M/s.S.GOKULRAJ, Advocate (SR-4840[F] dated 05/02/2020)
+1 CC to M/s.SPL GP (SR-5138[F] dated 06/02/2020)

VSN
TE : 18/02/2020 : 3P/6C

ORDER MADE IN
W.P(MD)NO.27286 OF 2019 and
W.M.P(MD)Nos.23565 and
23567 of 2019
05.02.2020