

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 4/3/2021
C O R A M

THE HONOURABLE Mr.JUSTICE B.PUGALENDHI

Writ Petition No.5017 of 2021

R. Kandasamy

... Petitioner

Vs

1. The District Collector
Namakkal.

2. Power Grid Corporation of India Ltd
Karur CAO, 400/230 KV Karur Sub Station
rep. By its Chief Manager
Coimbatore Main Road
K. Paramathy Post
Karur District 639 111.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus to direct the respondents to determine the amount of compensation payable to the petitioner in respect of the Openwell, borewell and @ 15% for the right of way (Row) due to laying of overhead HT line and erection of Electricity Tower in and over the petitioner's land comprised in S.No.389/3 situate in Parali Village, Mohanur Taluk, Namakkal District, in the light of the order dated 5/10/2018 passed by the first respondent in Na.Ka.No.26809/Parali 101/0/2018/H1 by considering the representation of the petitioner dated 24/7/2020 and to pay the same within the time frame.

For petitioner

... Mr.S. Senthil

For respondents

... Mr.Ps.Sivashanmuga Sundaram
Special Government Pleader
for R.1.

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Mr.Damodaran
Standing Counsel
for R.2.

O R D E R

This writ petition has been filed praying to direct the respondents, to determine the amount of compensation payable to the petitioner, in respect of the Openwell, borewell and @ 15% for the right of way due to laying of overhead HT line and

erection of Electricity Tower in and over the petitioner's land, comprised in S.No.389/3 situate in Parali Village, Mohanur Taluk, Namakkal District, in the light of the order, dated 5/10/2018, passed by the first respondent, in Na.Ka.No.26809/Parali 101/O/2018/H1 by considering the representation of the petitioner, dated 24/7/2020, and to pay the same, within the time frame.

2. The petitioner is an agriculturalist having lands, in S.No.389/3 in Parali Village, Mohanur Taluk, Namakkal District. The second respondent Power Grid Corporation erected high tension tower line for transmission of power for 400 KV Pugalur - Thiruvallam power line through electric tower and power line. One tower with tower base area of 231.68 sq.mtrs has been installed in the petitioner's land in the year 2018. The District Collector, Namakkal District, first respondent herein has also sent a communication to the petitioner, in Na.Ka.No.26809/Parali 101/O/2018/H1, dated 15/10/2018, stating that the petitioner is entitled for the compensation at 85% of the land value for tower base area (between 4 legs of tower line), measuring an extent of 231.68 sq.mts, in S.No.389/3 and @ 15% of the land value in the width of Right of Way (ROW) due to laying of transmission line.

3. Though the petitioner has received the said communication, on 5/10/2018 and the power line has also been erected in the year 2018, compensation as stated in the communication, dated 15/10/2018 has not been disbursed to the petitioner. Therefore, the petitioner has come forward with the writ petition praying for the relief as stated therein.

4. Considering the fact that the tower line has already been erected in the year 2018 and the compensation has not been considered so far, this Court is inclined to direct the respondents to pay the compensation to the petitioner, as per the guidelines for compensation, within a period of four weeks, from the date of receipt of a copy of this order.

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

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

mvs.

To

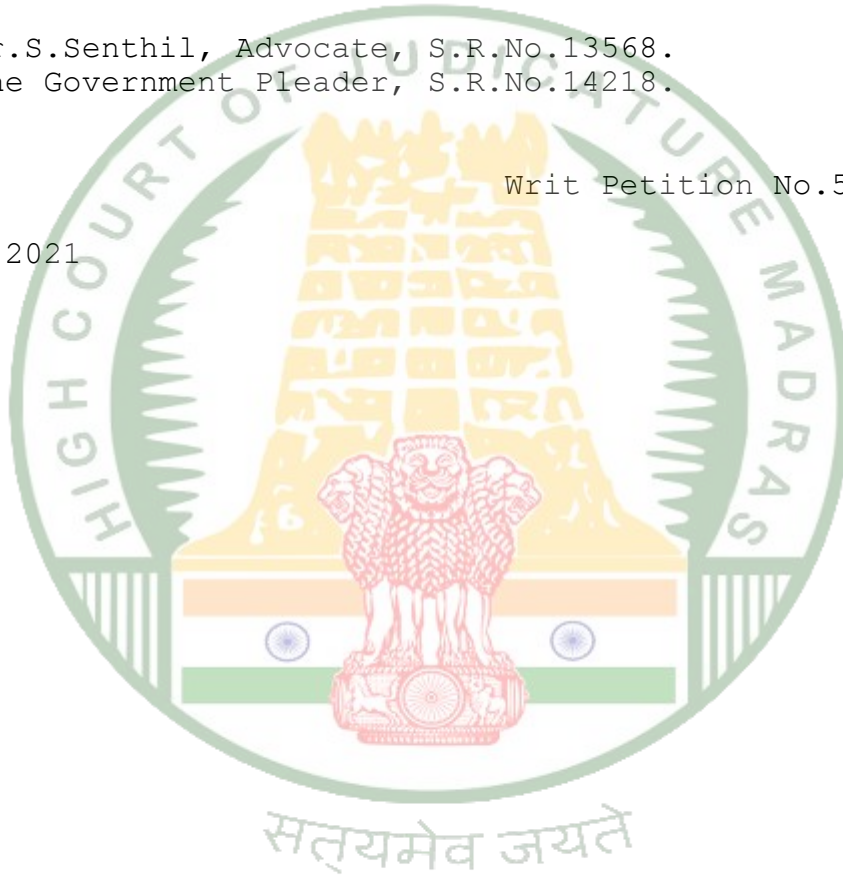
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+1cc to Mr.S.Senthil, Advocate, S.R.No.13568.

+1cc to the Government Pleader, S.R.No.14218.

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SKY (CO)
CSR 26.03.2021



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