



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.04.2021
CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.NO.6095 OF 2020
AND
W.M.P.NO.7160 OF 2020

D.Babunaidu

... Petitioner

.Vs.

1. The Government of Tamilnadu
Represented by its Principal Secretary
Energy Department, Fort St. George, Secretariat
Chennai - 600 009.
2. The Chairman
Tamilnadu Transmission Corporation Limited
NPKRR Maaligai, No.144, Anna Salai
Chennai - 600 002.
3. The District Collector, Thiruvallur District.
4. The Superintending Engineer
General Construction Circle - I
Tamilnadu Electricity Board
Thiru-Vi.Ka. Industrial Estate
Guindy, Chennai - 600 032.

... Respondents

Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the Respondents to pay the compensation to the Petitioner for erection of high tension Electricity Transmission Tower in 230KV capacity and also for laying of Electricity Transmission Lines over the property measuring an extent of about 887.41 square meters, which includes 64 square meters tower base area, comprised in survey no. 14/6 at Puthagaram Village, Ambattur Taluk, Thiruvallur District in the light of the G.O. (Ms) No. 63 dated 22.11.2017, followed by G.O. (Ms) No. 86 dated 30.10.2019, with the prevailing rate of interest, by considering the Petitioner's representations dated 16.11.2009 and 29.11.2019 forthwith.

For Petitioner	:	Ms.S.Mahalakshmi
For Respondents	:	Mr.Abdul Saleem (for R2 & R4)
		Mr.M.D.Ilayaraja (for R1 & R3)
		Government Advocate



O R D E R

Mr.M.D.Ilayaraja, learned Government Advocate, accepts notice on behalf of the respondents 1 and 3. Mr.Abdul Saleem, learned standing counsel accepts notice on behalf of the respondents 2 and 4.

2.This Writ Petition has been filed for a direction to the respondents to pay compensation to the Petitioner for erection of high tension Electricity Transmission Tower in 230KV capacity and also laying of Electricity Transmission Lines over his property measuring to an extent of 887.41 square meters, which includes 64 square meters tower base area, comprised in Survey No.14/6 at Puthagaram Village, Ambattur Taluk, Thiruvallur District, in the light of G.O. (Ms) No. 63 dated 22.11.2017, followed by G.O. (Ms) No. 86 dated 30.10.2019, with the prevailing rate of interest, by considering the Petitioner's representations dated 16.11.2009 and 29.11.2019.

3.Today, when the matter was taken up for consideration, the learned counsel for the petitioner, pointing out the subsequent development taken place, sought liberty to the petitioner to approach the authority concerned for appropriate relief by making fresh representation, for which, there is no serious objection on the side of the respondents.

4.Considering the facts and circumstances of the case and having regard to the submissions now made by the learned counsel on either side, this Court permits the petitioner to submit a fresh representation to the authority concerned within a period of one week from the date of receipt of a copy of this order and on such representation being made, the authority concerned shall consider the same and pass appropriate orders on merits and in accordance with law, after affording an opportunity of hearing to the petitioner, within a period of four(4) weeks thereafter.

5.This Writ Petition is disposed of with the above direction. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

Maya



To

1. The Principal Secretary
Energy Department
Fort St. George, Secretariat
Chennai - 600 009.

2. The Chairman
Tamilnadu Transmission Corporation Limited
NPKRR Maaligai
No.144, Anna Salai
Chennai - 600 002.

3. The District Collector
Thiruvallur District.

4. The Superintending Engineer
General Construction Circle - I
Tamilnadu Electricity Board
Thiru-Vi.Ka. Industrial Estate
Guindy, Chennai - 600 032.

+1cc to Mr.Abdul Saleem, Advocate, S.R.No.24142
+1cc to the Government Pleader, S.R.No.24654

W.P.No.6095 of 2020

PP(CO)
CS/12/08/2021