

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.04.2021

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.8670 of 2021

Ramakrishnan

... Petitioner

Vs

1. The District Collector,
Dharmapuri District.
2. The District Revenue Officer,
Dharmapuri.
3. The Thasildar,
Pennagaram Taluk,
Dharmapuri District.
4. Power Grid Corporation of India Limited.,
Represented by:
The Managing Director,
B-9, Qutab Institutional Area,
Katwaria Sarai, New Delhi - 110 016.
5. The Power Grid Corporation of India Limited,
Southern Region - II,
Represented by its General Manager,
No.185, TNHB Phase - II,
Dharmapuri Main Road,
Tirupattur - 635 601.

... Respondents

Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus directing the respondents to assess, determine and pay the compensation to petitioner's lands in S.F.No.561/3 and 4 of Sigaralahalli Village, Pennagaram Taluk in compliance with undertaking given in the proceedings dated 13.05.2020 and 04.08.2020 made by of third respondent in Na.Ka.No.20/2020/A1.

For Petitioner : Mr.R.Prabakar

For R1 to R3 : Mr.M.D.Ilayaraja, GA

For R4 & R5 : Mr.Kalyanaraman for Mr.Aiyar & Dolia

O R D E R

This writ petition has been filed seeking a direction to the respondents to assess, determine and pay compensation to the petitioner's lands in S.F.No.561/3 and 4 of Sigarahalli Village, Pennagaram Taluk in compliance with the undertaking given by the third respondent vide proceedings in Na.Ka.No.20/2020/A1 dated 13.05.2020 and 04.08.2020.

2.It is the case of the petitioner that he is the owner of the lands in S.F.No.561/3, 4 of Sigarahalli Village, Pennagaram Taluk, Dharmapuri District, as per Patta Nos.874 and 1562 and cultivating the same by planting Coconut Trees, Drumstick, Cereal and Sapota, turmeric etc. and eking out his livelihood through the income earned from the said cultivation. While so, the Fourth Respondent issued notices dated 23.11.2019 and 20.01.2020 to the petitioner under Section 164 of the Electricity Act 2003 r/w Indian Telegraph Act 1885 intimating that the 800 KV HVDC RAIGARH PUGALUR TRANSMISSION LINE (PKG-09) is to pass through his property/Right of Way (RoW). The Petitioner further stated that the Fourth Respondent erected lines over his dwelling house as well as Well which are endangering his life and during the said work, his jasmine plants were removed.

3.It is the further case of the petitioner that as a beneficiary of the project, the Fourth and Fifth Respondents are liable to pay compensation to him for diminution of land value, due to passage of transmission lines and damages for trees, crops chopped etc. However, no compensation was paid to the petitioner. The first respondent also did not take any steps to pay compensation, which compelled the petitioner along with other villagers raised objection to carry out the further works. Pursuant to the same, a Peace Committee Meeting was held on 13.05.2020, in which, the respondents 4 and 5 have stated that proceedings already initiated for disbursement of compensation for trees on or before 05.06.2020, in respect of houses and bore wells, assessment will be done by the PWD and steps will be taken to award compensation on or before 15.07.2020 and with respect to land, steps will be taken for compensation on or before 30.06.2020. Since the said undertaking was not complied with, another Peace Committee Meeting was held 04.08.2020 in the presence of the third respondent, in which, it was agreed on the side of the respondents 4 and 5 that the compensation for lands would be settled on or before 30.08.2020 and compensation for bore wells on or before 30.09.2020. Even thereafter, the petitioner was not settled with compensation as agreed, since the first respondent has not determined the same. Feeling aggrieved, he has come up with the present writ petition for the

aforesaid relief.

4.Today, when the matter was taken up for consideration, the learned counsel appearing for the respondents 4 and 5 on instructions, submitted that the petitioner was paid the compensation towards loss of trees. With regard to the award of compensation for the lands acquired, the learned counsel submitted that the respondents have already assessed and determined the compensation payable to the land owners and hence, the compensation will be paid to the petitioner for the lands acquired in due course.

5.In view of the aforesaid submissions made by the learned counsel for the respondents 4 and 5, this Court directs the petitioner to approach the first respondent and produce all the necessary documents with respect to the lands acquired for the purpose of seeking compensation, within a period of two weeks from the date of receipt of a copy of this order. On such production, the first respondent shall consider the same and pass appropriate orders, relating to payment of compensation, on merits and in accordance with law, within a period of six (6) weeks, thereafter.

6.This Writ Petition is disposed of with the above direction. No costs.

Sd/-
Assistant Registrar(CS-III)

//True Copy//

Sub Assistant Registrar

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To

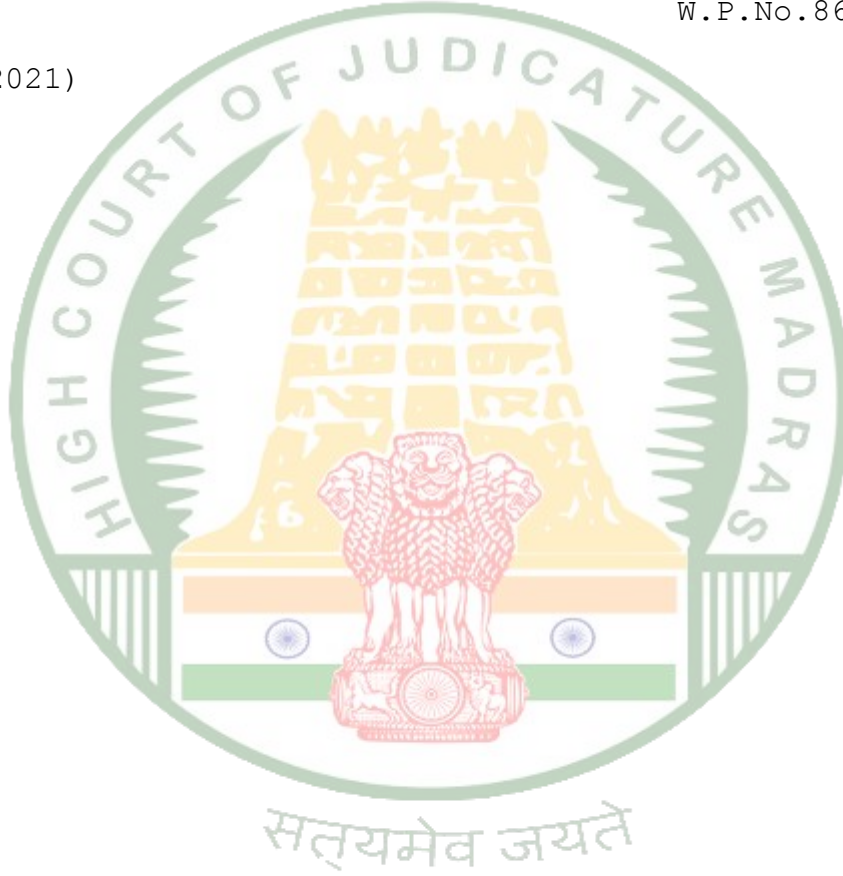
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+1cc to M/s.Aiyar & Dolia, Advocate, S.R.No.25851
+1cc to Mr.R.Prabakar, Advocate, S.R.No.25616
+1cc to the Government Pleader, S.R.No.26002

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SSN(CO)
CB(09/07/2021)



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