



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.11.2021

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.40047 of 2016
and
W.M.P.No.34096 of 2016

G.Thangaraj

...Petitioner

Vs

1. The Chairman,
Tamil Nadu Electricity Board,
NPKRR Maaligai,
No.144, Anna Salai,
Chennai - 600 002.
2. The Chief Engineer,
Tamil Nadu Transmission Corporation,
Mannarpuram, Trichy - 620 020.
3. The Superintending Engineer,
General Construction Circle,
Tamil Nadu Transmission Corporation,
No.182, Doctor Subbarayan Salai,
Tatabad, Coimbatore - 641 012.
4. The Executive Magistrate Erode Dist.,/
The District Collector,
Erode District Collectorate,
Perundurai Road,
Erode - 638 011.

...Respondents

PRAYER : Writ Petition filed Under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records of order dated 21.10.2016 vide proceedings in No.Na.Ka.No.2439/2015/K.4 on the file of 4th respondent and quash the same and to forbear the respondent authorities from erection of electrical towers and transmission of lines in respect of the petitioner property comprised in R.S.No.132/3, 134 situated at Kodumanal Village, Perundurai Taluk, Erode District.



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For Petitioner : Mr.K.Myilsamy

For Respondents

R1 to R3 : Mr.L.Jai Venkatesh
Standing Counsel

R4 : Mr.C.Selvaraj
Additional Government Pleader

O R D E R

The order impugned dated 21.10.2016 was passed by the District Collector declining to grant exemption from erection of high tension electricity tower in the land belongs to the petitioner. The order impugned was passed pursuant to the directions issued by this Court to consider the representation submitted by the petitioner in W.P.No.21202 of 2015 dated 08.03.2016. An enquiry was conducted in the presence of the writ petitioner and the District Collector rejected the same.

2.However, the learned counsel for the petitioner made a submission that no such erection was done in the property belonged to the petitioner so far. The petitioner states that there is a likelihood of interference pursuant to the order of the District Collector. In fact, the District Collector rejected the appeal on 21.10.2016 and five years lapsed, even now the respondents 1 to 3 have not initiated any steps to erect the high tension electricity tower in the land belonged to the petitioner. Therefore, the petitioner cannot sustain the cause which aroused in the year 2016 and it is not made clear as to whether any new proposal has been made for the purpose of construction of tower in the land belonged to the petitioner. In the event of any grievance arises, then the petitioner is at liberty to approach the competent authority and as of now, there is no grievance exists for the petitioner for the purpose of adjudication of issue. Accordingly, the writ petition stands closed. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

cse



To

1. The Chairman,
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+1cc to Mr.K.Myilsamy, Advocate, S.R.No.62364

W.P.No.40047 of 2016
and
W.M.P.No.34096 of 2016

GPL(CO)
RGA(10/12/2021)