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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.04.2021

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.17316 of 2020
and WMP.No.21420 of 2020

R.Ravichandran

Vs

... Petitioner

1.The District Collector,
Erode, Erode District.

2.The Superintendent Engineer,
General Construction Circle,
TANTRANSCO, Dr.Subbarayan Road,
Tatabad, Coimbatore.

3.The Executive Engineer,
General Construction Circle,
TANTRANSCO,
Elamedu, Ingur, Perundurai Taluk,
Erode District.

4.The Chief Engineer, Civil/Transmission
Chennai -2.

... Respondents

Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus directing the respondents to ensure that 440 KVA-High Tension Transmission Lines, are drawn in Tower No.136/0, located at S.No.686/8, Periapuliyur Village, Bhavani Taluk, Erode District, by giving Horizontal and Vertical Clearance as mandated in Memo No.CE/C/TR/SE/C-1/EEC-3/AEE/F, RASI-PALA 400 KV Line/D.No.143/16, dated 10.02.2016, on the file of Chief Engineer/Civil/ Transmission/Chennai-2.

For Petitioner : Mr.E.P.Senniyangiri

For Respondents : Mr.Abdul Saleem



ORDER

The relief made in this writ petition is to issue a mandamus, directing the respondents to ensure that 440 KVA-High Tension Transmission Lines, are drawn in Tower No.136/0, located at S.No.686/8, Periapuliyur Village, Bhavani Taluk, Erode District, by giving Horizontal and Vertical Clearance as mandated in Memo No.CE/C/TR/SE/C-1/EEC-3/AEE/F, RASI-PALA 400 KV Line/D.No.143/16, dated 10.02.2016, on the file of Chief Engineer/Civil/Transmission/Chennai-2.

2. According to the petitioner, he is the owner of the Agricultural land, situated in S.No.686/8, Periyapuliyur Village, Bhavani Taluk, Erode District; and he is a registered Cable T.V. Operator and as such he has set up transmitter in his house. The grievance of the Petitioner is that High Tension Transmission Lines are drawn over and above his house by the respondents 2 and 3, without giving adequate clearance, as mandated in the approved plan. Though he has no objection to draw HT lines, but it should be in accordance with the conditions laid down in the proceedings dated 10.02.2016 issued by the Chief Engineer / Civil / Transmission, which reads as follows:

(I) Vertical clearance of 8.84m must be ensured throughout the length of the line

(II) Horizontal clearance of 26m Ford trees on either side from the centre line must be ensured throughout the line.

Stating so, the petitioner made a representation dated 15.06.2020 to the first respondent to ensure that the HT lines are drawn in the route already approved. Finding no response on the same, he has come up with this writ petition for the aforesaid relief.

3. This court, after hearing both sides and upon perusal of the documents placed before this Court, is of the opinion that the relief sought in this writ petition cannot be granted, when there is no specific allegation or grievance against the steps taken by the respondent authorities. It is needless to state that the respondent authorities should follow the mandatory requirements and rules and regulations, while carrying out any work and the same cannot be easily intervened without any basis. If the petitioner is really aggrieved by the proceedings of the first respondent granting permission to lay towers and draw lines to the respondents 2 and 3, it is always open to him to challenge the same in the manner known to law, if so advised.



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4. With the aforesaid observation, this writ petition stands dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

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To

- 1.The District Collector, Erode,
Erode District.
- 2.The Superintendent Engineer,
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Tatabad, Coimbatore.
- 3.The Executive Engineer,
General Construction Circle,
TANTRANSCO,
Elamedu, Ingur, Perundurai Taluk,
Erode District.
- 4.The Chief Engineer, Civil/Transmission
Chennai -2.

+1CC to Mr.Abdul Saleem Advocate SR No.25649

+1CC to Government Pleader SR No.26008

W.P.No.17316 of 2020

PL (CO)
PR (15/07/2021)