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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.12.2021

CORAM:

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P.No. 15428 of 2020

Satpal Singh Ahluwalia

... Petitioner

/Vs/

1. The Power Grid Corporation of India Limited
Rep. by its Deputy General Manager (South)
B-9, Qutab Institutional Area,
Katwaria Sarai,
New Delhi 110 016
2. Junior Technician,
Power Grid Corporation of India Limited,
Kalivanthapattu, Guduvanchery,
Kanchipuram District 603 202

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying Writ of Mandamus, directing the 1st respondent to pay compensation for 33 coconut trees felled at location Nos.2/o to 2A/o at Survey Nos.133, 134, 135 and 193, Elayanallur Village, Katpadi Taluk, Vellore District, as per the directions of this Hon'ble Court in Power Grid Corporation of India vs. K. Radhakrishnan and others.

For Petitioner : Mr.V.Lakshminarayanan

For Respondents : Mr. Jayesh B. Dolia

ORDER

The present petition has been filed seeking issuance of a Writ of Mandamus, directing the 1st respondent to pay compensation for 33 coconut trees felled in the petitioner's land as per the directions of this Court in Power Grid Corporation of India vs. K. Radhakrishnan and others.



2. The case of the petitioner is that the petitioner is an agriculturist whose holdings were affected by the erection of a sub station at the behest of TANGEDCO due to which 33 coconut trees in his land were felled, for which the compensation was awarded on 30.11.2013 to the tune of Rs.2,27,000/- towards compensation. Thereafter, the similarly placed persons who were affected due to erection of sub station, had sought for the enhancement of compensation by filing petition before this Court and this Court by its judgement reported in Power Grid Corporation of India Ltd Vs.K. Radhakrishnan & Ors had fixed the compensation amount to the tune of Rs.20,000/- per tree with interest at the rate of 9% with 30% solatium. Thereafter, the petitioner had sought for enhancement of compensation in line with the above judgement, by way of a representation dated 15.01.2020 to the 2nd respondent, however, till date no action has been taken on the same. Hence, the present petition is filed seeking the above relief.

3. Though very many grounds have been raised, learned counsel for the petitioner submits that it would suffice if this Court directs the 2nd Respondent to consider the petitioner's representation dated 15.01.2020 and award the compensation amount to the petitioner in line with the judgement passed by this Court in Power Grid Corporation's case (Supra).

4. Learned Counsel for the respondents has no objection to the said order being passed and he submits that the petitioner's representation dated 15.01.2020 will be considered and appropriate orders will be passed in accordance with law.

5. Heard the learned counsel on the either side and perused the materials available on record.

6. Upon hearing the learned counsel for the petitioner and in view of the materials available on record, this Court is of the opinion that when the compensation amount was paid to similarly placed persons, pursuant to the aforesaid judgement passed by this Court, the petitioner herein is also entitled to receive the enhanced compensation in line with the judgement passed by this Court. Hence, this Court directs the respondents herein to consider the petitioner's representation dated 15.01.2020 and pass appropriate orders on the same in accordance with law within a period of six weeks from the date of receipt of a copy of this order in line with the order passed by this Court in Power Grid Corporation's case (Supra).



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7. This Writ Petition is accordingly disposed of with the aforesaid direction. No costs.

Sd/-
Assistant Registrar (CS-VII)

//True Copy//

Sub Assistant Registrar

NHS

To

1. The Deputy General Manager (South)
The Power Grid Corporation of India Limited
B-9, Qutab Institutional Area,
Katwaria Sarai,
New Delhi 110 016
2. Junior Technician,
Power Grid Corporation of India Limited,
Kalivanthapattu, Guduvanchery,
Kanchipuram District 603 202

+1cc to Mr.V.Lakshminarayanan, Advocate, S.R.No.69315

W.P.No.15428 of 2020

NK (CO)
SU (21/01/2022)