



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.11.2021

CORAM

THE HON'BLE MR.JUSTICE G.K.ILANTHIRAIYAN

WP.NO.25028 OF 2021

A.Vijayamurugan

...Petitioner

Vs

1. The District Collector,
Kancheepuram District Collector Office,
Kanchipuram.
2. The Chief Engineer,
Public Works Department,
Paalaru Thittam,
Kamarajar Salai,
Chepauk,
Chennai 600 005.
3. The Executive Engineer,
Lower Palar Basin Division,
Kanchipuram.
4. The Executive Engineer, AVL,
Kosasthalaiyar Basin Division,
Thiruvallur.
5. The Chief Engineer,
Tamil Nadu Electricity Board,
Anna Salai, Chennai 600 002.
6. The Superintending Engineer,
CEDC/South-II,
110, K.K.Nagar SS Complex,
K.K.Nagar, Chennai 600 078.
7. The Superintending Engineer,
CEDC/South-I,
Anna Main Road,
Chennai 600 078.

...Respondents



Prayer :-

Writ Petition is filed under Article 226 of the Constitution of India praying to issue a writ of mandamus directing the respondents to conduct proper land acquisition proceedings for the lands utilized for widening the river bank and for constructing a HT Electrical Transmission Tower more particularly in survey No.529/1, measuring 0.58.5 hectares or 1.44 acres, Kunrathur Village, Sriperumbudur Taluk, Kancheepuram District by giving proper opportunity to the land owner for being heard / to make representation and to award suitable compensation for the land acquired in the manner known to law.

For Petitioner : Mr.Ashokapathy
for M/s.Pass Associates

For Respondents
For R1 : Mr.A.Selvendran,
Special Government Pleader

For R2 to 7 : Mr.S.Madhusudhanan,
Standing Counsel

ORDER

This writ petition has been filed to issue a writ of mandamus directing the respondents to conduct proper land acquisition proceedings for the lands utilized for widening the river bank and for constructing a HT Electrical Transmission Tower, more particularly, in survey No.529/1, measuring 0.58.5 hectares or 1.44 acres, Kunrathur Village, Sriperumbudur Taluk, Kancheepuram District by giving proper opportunity to the land owner for being heard / to make representation and to award suitable compensation for the land acquired in the manner known to law.

2. The case of the petitioner is that his father owned land comprised in survey No.529/1 admeasuring 0.58.5 hectares, Kunrathur Village, Sriperumbudur Taluk, Kancheepuram District by way of settlement deed dated 10.07.2013 registered vide document No.9656 of 2013. The said property has been settled in favour of the petitioner. After demise of his father, when the petitioner visited the property, he found that Tamilnadu Electricity Board erected tower and had drawn high tension electrical line in portion of the said property. He also surveyed the land with the help of the private surveyor and found that Public Works Department had encroached 50.8 cents of the petitioner's land and Tamilnadu Electricity Board had encroached 23.5 cents, in total 74.3 cents. His land was encroached by the Government Departments and the respondents did not follow any procedure to



acquire the same and no notice was issued to the petitioner or his father before erecting the tower and putting up compound wall. Therefore, the petitioner submitted representation before the Tamilnadu Electricity Board from the year 2019 and the same was directed to authority concerned for further action. However, no action has been initiated and hence the petitioner filed this writ petition.

3. Whereas it is submitted that as per order dated 19.07.2016 by the TANTRANSO, the erection of 230 KV EHT line has been approved and the work has been carried out and completed even in the year 2019. The entire high tension tower and line has been energised as early as on 30.11.2019 and the line is in service.

4. Therefore, whether the erection of tower in the land belongs to the petitioner or belongs to the Government has to be verified by surveying the land. Therefore, the petitioner is directed to submit a representation before the first respondent within a period of two weeks from the date of receipt of copy of this order. On receipt of the same, the first respondent is directed to conduct enquiry and, after giving opportunity of hearing to the petitioner and calling upon the report from the fifth respondent, pass orders on merits and in accordance with law within a period of twelve weeks thereafter.

5. With the above directions, this writ petition is disposed of. No order as to costs.

Sd/-
Assistant Registrar(CS-VIII)

//True Copy//

Sub Assistant Registrar

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To

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Chennai 600 078.

+lcc to M/s.Pass Associates, Advocate, S.R.No.60369

WP.No.25028 of 2021

SJ(CO)
RLP(03/12/2021)