

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.03.2021

CORAM:

THE HON'BLE MR.JUSTICE C.SARAVANAN

W.P. No. 20757 of 2017

M.V.Ramamoorthy,

... Petitioner

Vs

1. The Government of India,
Represented by its Secretary,
Ministry of Powers,
Shram Shakti Bhawan,
Rafi Marg, New Delhi - 110 001.
 2. The Government of Tamil Nadu,
Represented by its Principle Secretary,
Energy (AI) Department,
Secretariat, Chennai - 600 009.
 3. TAN TRANSCO,
Represented by its Chairman,
Tamilnadu Transmission Corporation Limited,
10th Floor, NPKRP Maligai,
144, Anna Salai,
Chennai - 600 002.
 4. The Executive Engineer,
Transmission Line Construction,
Dharmapuri - 636 705.
 5. The District Collector,
Vellore District.
 6. The District Revenue Officer,
Vellore District.
- ... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, calling for the records of the 4th Respondent in Lr No.EE/TLC/DPI/F.MTPP-TVLM 400 KV Line/D. 2064/2015 Dt. 26.09.2015 and quash the same and direct Respondent Nos. 3 to 6 to pay compensation for the damages caused to the Petitioner on account of erection of Tower and overhead lines in his agricultural land in S.No.909/3A and 925 situate at Pasumathur

Revenue Village, Gudiyatham Taluk, Vellore District in accordance with the Guidelines dated 15.10.2015 notified by the 1st Respondent.

For Petitioner : Ms.K.Priya

For R2, R5 & R6 : Mr.N.Inbanathan
Additional Government Pleader

For R3 & R4 : Mr.M.Varun Kumar

ORDER

This writ petition has been filed for a certiorarified mandamus, to call for the records of the impugned order dated 26.09.2015 of the 4th respondent and to quash the same and direct the 3rd to 6th respondents to pay the compensation to the petitioner for the damages caused to the petitioner on account of erection of Tower and Overhead lines in the petitioner's agricultural land in S.No.909/3A & 925 situated at Pasumathur Revenue Village, Gudiyatham Taluk, Vellore District in accordance with the guidelines dated 15.10.2015 has invited by the 1st respondent.

2. According to the petitioner, the issue is also squarely covered by the order of this Court in W.P.Nos.26858 & 26859 of 2016 dated 16.08.2016, wherein, the TAN TRANSCO/2nd respondent therein had agreed to comply with the guidelines of the Central Government dated 15.10.2015. The appropriate authority for granting compensation to the petitioner is the District Collector namely the 5th respondent herein.

3. The 5th respondent/District Collector is bound by the guidelines issued by the Government of India dated 15.10.2015. Therefore, I am of the view that the petitioner should file an application/representation before the 5th respondent/District Collector in terms of the guidelines dated 15.10.2015 of the 1st respondent/Ministry of Powers. This representation may be filed before the 1st respondent within a period of four weeks from today with a copy marked to the other respondents.

4. The 5th respondent/District Collector shall consider the same and pass appropriate order to compensate the petitioner by complying with the requirements of the guidelines. It is expected that the application/representation to be filed by the petitioner will be disposed of within a period of eight weeks from the date of receipt of a copy of this order.

5. This Writ Petition stands disposed of with the above observations. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

arb

To

1. The Secretary,
Government of India,
Ministry of Powers,
Shram Shakti Bhawan,
Rafi Marg, New Delhi - 110 001.
2. The Principle Secretary,
Government of Tamil Nadu,
Energy (A1) Department,
Secretariat, Chennai - 600 009.
3. The Chairman,
TAN TRANSCO,
Tamilnadu Transmission Corporation Limited,
10th Floor, NPKRP Maligai,
144, Anna Salai,
Chennai - 600 002.
4. The Executive Engineer,
Transmission Line Construction,
Dharmapuri - 636 705.
5. The District Collector,
Vellore District.
6. The District Revenue Officer,
Vellore District.

+3cc to M/s.Priya, Advocate, S.R.No.20330

+1cc to the Government Pleader, S.R.No.20174

W.P. No. 20757 of 2017

MG (CO)
KM(22/04/2021)