



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.12.2021

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.NO.28177 OF 2019

AND

W.M.P.NO.27835 OF 2019

G.Krishnamoorthy

...Petitioner

Vs.

1.The Superintending Engineer,
Tamil Nadu Electricity Board,
Salem Main Road, Kallakurichi.

2.The Executive Engineer, (EE)
Tamil Nadu Electricity Board,
Operation and Maintenance,
Salem Main Road, Kallakurichi.

3.The Assistant Engineer (AE),
Tamil Nadu Electricity Board,
Salem Main Road, Kallakurichi.

...Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents 1 to 3 to consider the petitioner representation letter dated 19.08.2019 and further directing the respondents not to install the high tension cable in the petitioner's property in S.No.107/3, 95/3B, in Vettiperumal Agaram Village in Chinasalem Taluk in Kallakurichi.

For Petitioner : Mr.S.Ramajayam

For Respondents : Mr.L.Jaivenkatesh
Standing Counsel

O R D E R

The petitioner has filed this writ petition seeking issuance of Writ of Mandamus to direct the respondents 1 to 3 to consider the petitioner's representation letter dated 19.08.2019 and to direct the respondents not to install the high tension cable in the petitioner's property in S.No.107/3, 95/3B.



2. The case of the petitioner is that his fore fathers purchased the land situated in Survey Nos.107/3 and 95/3B and was inherited by the petitioner by way registered will dated 22.09.1999. While being so, the respondents are trying to erect High tension wire upon the petitioner's land and also trying to encroach a part of the petitioner's land illegally by destroying the Teak wood tree planted in the above said land and also without paying any compensation for destroying the teak wood which is more than nine years old. Therefore, the petitioner sent a detailed representation letter to the respondents dated 19.08.2019 along with all documents, however, till date the respondents have not passed any order on his representation letter and have not paid the compensation amount for the land and the trees to which the petitioner is entitled to. Hence, this present petition is filed.

3.The learned counsel for the petitioner submits that the respondents are taking steps to put high tension wire upon the petitioner's land without providing any compensation for the loss that has to be borne by the petitioner due to the destruction of the teak trees in his land . Hence, he submitted that, it would suffice if this Court issues direction to the respondents to consider the petitioner's representation dated 19.08.2019 and pay compensation to the petitioner within a particular time frame fixed by this Court.

4.The learned Standing Counsel appearing for the respondents has no objection for said order being passed.

5. In view of the aforesaid submissions, this Court without expressing any opinion on the merits of the case, directs the respondents to consider the petitioner's representation dated 19.08.2019 on merits and in accordance with law and pay the compensation amount, if not paid to which the petitioner is entitled to with reasonable interest from the date of erection and till the date of payment within a period of eight weeks from the date of receipt of a copy of this order.

6. This writ petition is accordingly disposed of. No costs. Consequently, connected Miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS-IX)

// True Copy //

Sub Assistant Registrar

skt



To

1.The Superintending Engineer,
Tamil Nadu Electricity Board,
Salem Main Road, Kallakurichi.

2.The Executive Engineer, (EE)
Tamil Nadu Electricity Board,
Operation and Maintenance,
Salem Main Road, Kallakurichi.

3.The Assistant Engineer (AE),
Tamil Nadu Electricity Board,
Salem Main Road, Kallakurichi.

+1cc to Mr.S.Ramajayam, Advocate Sr.No.66267

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and
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PMK(CO)
RVM(07/02/2022)