

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.03.2021

CORAM:

THE HONOURABLE MR. JUSTICE C.SARAVANAN

W.P.No.16549 of 2017
and
W.M.P.No.17904 of 2017

Chandra Kasinathan

... Petitioner

Vs.

1. The Tamil Nadu Transmission Corporation Limited,
Rep by its Superintending Engineer,
General Construction Circle -II,
No.144, Anna Salai,
Chennai - 600 002.
2. The Chairman cum Managing Director,
The Tamil Nadu Transmission Corporation Limited,
No.144, Anna Salai,
Chennai - 600 002.
3. The District Collector,
Tiruvallur.

(R3 Suo-Motu impleaded vide order dated 01.03.2021)

... Respondents

PRAYER:- Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of Writ of Mandamus, to direct the respondents to remove platforms laid and also forbear the respondents or any person claiming authority through them from carrying out any work like laying platforms erecting poles and drawing transmission line in the petitioner's land admeasuring 0.09 acres comprised in Survey No.757/3 of Namam Village, Sriperumbudur Taluk and 1.97 acres comprised in Survey No.69, 52/1, 52/2-A and 52/2-B of Notchimedu Village, Sriperumbudur Taluk.

For Petitioner : Mr.Y.Ramanaiah

For Respondents : Mr.N.Inbanathan
Additional Government Pleader
for R3
Mr.Abdul Saleem,
for R1 & R2

O R D E R

This writ petition has been filed for a Writ of Mandamus, to direct the respondents to remove platforms laid and also forbear the respondents or any person claiming authority through them from carrying out any work like laying platforms erecting poles and drawing transmission line on the petitioner's land admeasuring 0.09 acres comprised in Survey No.757/3 of Namam Village, Sriperumbudur Taluk and 1.97 acres comprised in Survey No.69, 52/1, 52/2-A and 52/2-B of Notchimedu Village, Sriperumbudur Taluk.

2.The learned counsel for the Respondents 1 and 2 submits that the application has been filed before the 3rd respondent District Collector Thiruvallur dated 10.11.2020 under Sections 10 and 16 of the Indian Telegraph Act, 1885.

3.The said application will have to be disposed and only based on the permission granted by the 3rd respondent further work can be undertaken by the respondents 1 and 2. Therefore, I dispose this writ petition by directing the 3rd respondent to dispose the application filed under Sections 10 and 16 of the Indian Telegraph Act, 1885 within a period of three months from the date of receipt of a copy of this order.

4.Before passing such order the petitioner shall be heard. The respondents are directed to serve copy of the petition filed under Sections 10 and 16 of the India Telegraph Act, 1885 on the petitioner within a period of 30 days from the date of receipt of a copy of this order.

5.The Writ Petition stands disposed of with the above observations. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

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To

1. The Superintending Engineer,
The Tamil Nadu Transmission
Corporation Limited,
General Construction Circle -II,
No.144, Anna Salai, Chennai - 600 002.

2. The Chairman cum Managing Director,
The Tamil Nadu Transmission Corporation
Limited,
No.144, Anna Salai, Chennai - 600 002.

3. The District Collector,
Tiruvallur.

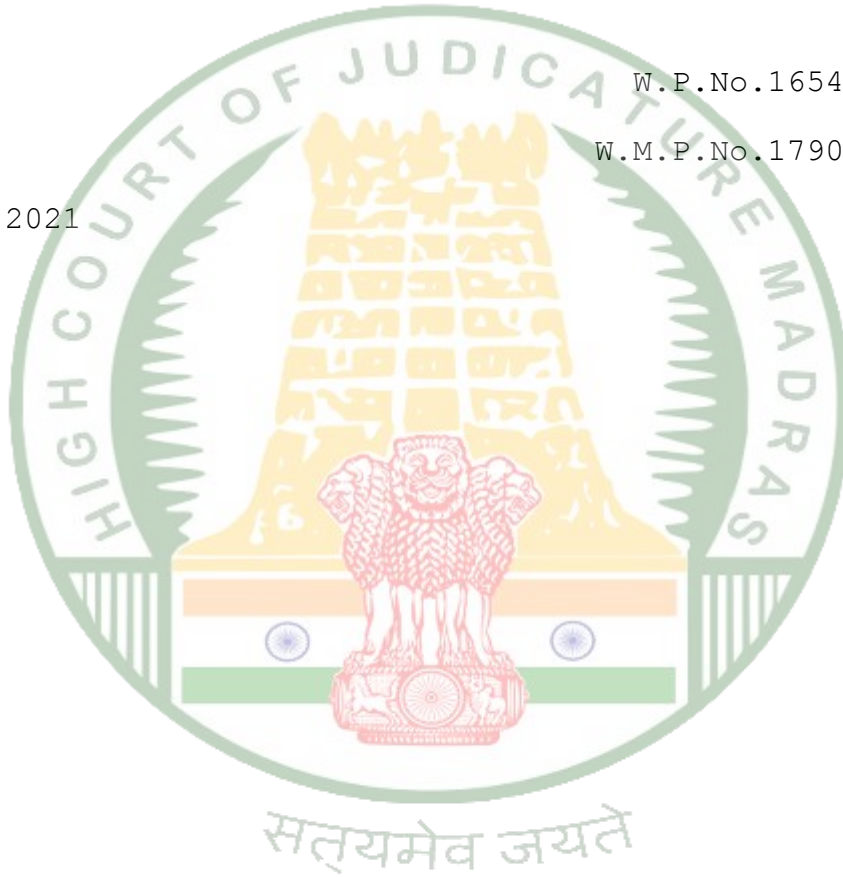
+1cc to Mr.Abdul Saleem, Advocate, SR.No.14806.

+1cc to Mr.Elamurugan, Advocate, SR.No.14806.

+1cc to the Special Government Pleader, SR.No.15432.

W.P.No.16549 of 2017
and
W.M.P.No.17904 of 2017

SKY (CO)
CSR 25.03.2021



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