



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.02.2021

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD)No.642 of 2021

Narbheran Solar TN Private Limited,
Having its registered office
at Avani Signature, 6th Floor, 91A/1, Park Street,
Kolkata, West Bengal,
by its General Manager (Legal),
M.S.Srinivasa Narayanan : Petitioner

Vs.

1.The District Collector,
Thoothukudi.

2.The Superintending Engineer,
General Construction Circle,
Tamil Nadu Transmission Corporation Limited,
K.Pudur, Madurai District- 625 007.

3.The Executive Engineer,
Transmission Line Construction,
Transmission Circle,
Maharaja Nagar, Tirunelveli. : Respondents

PRAYER :- Petition filed under Article 226 of the Constitution of India seeking a Writ of Mandamus, to direct the respondents to pay compensation for erection of two transmission towers and transmission lines in the lands belonging to the writ petitioner in Survey Numbers:215/1A and 222 situated at Kalappaipatti Village, Kayatar Taluk, Thoothukudi District.

For Petitioner	:Mr.K.Sekar
For R1	:Mr.M.Rajarajan Addition Government Pleader
For R2 and R3	:Mrs.M.Parameswari for Mr.S.M.S.Johnny Basha

ORDER

Heard the learned Counsel appearing for the petitioner, learned Additional Government Pleader appearing for the first respondent and the learned Standing Counsel appearing for R2 and



2.The petitioner had purchased a large extent of land in Kayatar region for putting up solar panels. While so, the respondents 2 and 3 herein have erected towers and drawing lines, which according to the petitioner, cross the lands belonging to the petitioner herein. According to the petitioner, this by itself has caused injury and loss to the petitioner. The petitioner has invoked the jurisdiction of the first respondent under Section 16 of the Telegraph Act for payment of compensation. The petitioner has enclosed the copy of the representation, dated 26.09.2020 in the typed set of papers. He would state that till date, the first respondent has not done anything in the matter.

3.When the TANGEDCO or TRANSCO authorities apply for permission under Section 16 of the Act, it is seen that the District Collector readily grant the permission sought for. But the same alacrity is not shown, when it comes to determining the compensation for the affected land owners. I am, therefore, directing the first respondent to dispose of the petitioner's representation on merits in accordance with law after hearing both parties and pass final orders within a period of eight weeks from the date of receipt of a copy of this order.

4.The Writ Petition is disposed of on these lines. No costs.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

cmr

To

The District Collector,
Thoothukudi.

+1 CC to SGP (SR-3039[F] dated 03/02/2021)

+1 CC to Mr.K.SEKAR, Advocate (SR-3113[F] dated 03/02/2021)

W.P. (MD)No.642 of 2021
02.02.2021

KM (08.02.2021) 2P 4C