



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.10.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.DURAI SWAMY

AND

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

W.P (MD)No.6822 of 2021

and

W.M.P (MD)No.5303 of 2021

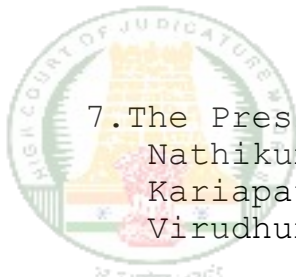
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Rajamannar

... Petitioner

Vs.

- 1.The Chief Engineer,
Non-Conventional Energy Source (NCES),
Tamil Nadu Generation and Distribution
Corporation Limited,
Second Floor, Eastern Wing,
144, Anna Salai, Chennai - 2.
- 2.The Superintending Engineer,
Non-Conventional Energy Source (NCES),
Tamil Nadu Generation and Distribution
Corporation Limited,
Tirunelveli.
- 3.The District Collector,
Virudhunagar District,
Virudhunagar.
- 4.The Revenue Divisional Officer,
Aruppukkottai,
Virudhunagar District.
- 5.The Tahsildar,
Kariapatti Taluk,
Virudhunagar District.
- 6.The Block Development Officer
(Village Panchayats),
Kariapatti Panchayat Union,
Virudhunagar District.



7.The President,
Nathikundu Village Panchayat,
Kariapatti Panchayat Union,
Virudhunagar District.

8.M/s.Capsol Sunray Private Limited,
Plot No.52, Phase V,
IDA JEEDIMETLA,
Hyderabad - 500 055,
Telangana,
Represented by its Authorized Signatory,
Mr.N.Nantha Kumar.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the first and second respondents herein to take necessary steps to prevent the eighth respondent from starting a Solar Power Plant in Melathulukkan Kulam Village, Nathikundu Village Panchayat, Kariapatti Taluk, Virudhunagar District without any prior permission from the competent authorities.

For Petitioner	: Mr.M.Jothi Basu
For RR 1 and 2	: No appearance
For RR 3 to 6	: Mr.P.Thilak Kumar Government Pleader
For R - 7	: No appearance
For R - 8	: Mr.Issac Mohanlal Senior Counsel for M/s.Polax Legal Solutions

ORDER

(Order of the Court was made by **M.DURAISWAMY, J.**)

The petitioner has filed the above Writ Petition as a Public Interest Litigation to issue a Writ of Mandamus, forbearing the eighth respondent from starting a solar power plant in Melathulukkan Kulam Village, Nathikundu Village Panchayat, Kariapatti Taluk, Virudhunagar District without obtaining any prior permission from the competent authorities.

2.The second respondent filed a counter-affidavit, wherein, it has been stated that the grid approval was granted to the eighth respondent on 13.07.2021 and that the second respondent provided high tension service connection No.61, dated 15.07.2021 to them.



3.Further, Mr.Isaac Mohanlal, learned Senior Counsel appearing for the eighth respondent submitted that the TANGEDCO also granted approval to start the solar power plant. Further, the learned Senior Counsel submitted that when the eighth respondent had obtained the permission to start the solar power plant, the prayer sought for in the Writ Petition has become infructuous.

4.As rightly contended by the learned Senior Counsel appearing for the eighth respondent to the effect that the eighth respondent had already obtained permission from the competent authorities, the prayer sought for in the Writ Petition has become infructuous. Accordingly, the Writ Petition is dismissed as infructuous. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

ps

Note :

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

To

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(Village Panchayats),
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Virudhunagar District.

7.The President,
Nathikundu Village Panchayat,
Kariapatti Panchayat Union,
Virudhunagar District.

+1 CC to M/s.M.JOTHIBASU, Advocate (SR-31466[F] dated 07/10/2021)

+1 CC to M/s.SPL.GP (SR-31504[F] dated 07/10/2021)

W.P (MD) No. 6822 of 2021
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RD(20.10.2021) 4P 10C