



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.02.2021

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.19658 of 2020 and
W.M.P.(MD)No.16384 of 2020

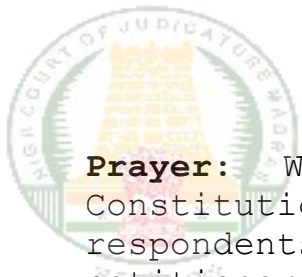
S.Kavitha

... Petitioner

Vs.

1. The Chairman,
Tamil Nadu Transmission
Corporation Ltd., (TANTRANSCO),
No.144, Anna Salai,
Chennai.
2. The District Collector,
Dindigul,
Dindigul District.
3. The Superintending Engineer,
TANTRANSCO,
General Construction Circle,
K.Pudur,
Madurai - 625 007.
4. The Executive Engineer,
TANTRANSCO,
(765 KV Double Circuit
Virudhunagar-Coimbatore
Transmission Line),
No.22/61, Ramamoorthi Road,
Sivakamipuram,
Virudhunagar.
5. The Assistant Executive Engineer,
Transmission Line Construction,
TANTRANSCO,
Angu Nagar, Meenakshinayakkan Patti,
Dindigul - 624 004.
6. The Revenue Divisional Officer,
Dindigul District.

... Respondents



Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, forbearing respondents 3 to 5 from entering into the landed property of the petitioner situated at SF No.424/1 and 425, Sullerumbu Village, Dindigul Taluk and District for erection of High Tension Transmission Tower and line under 765 KV Double circuit line Virudhunagar-Coimbatore transmission line project without the consent of the petitioner and in deviation of resettlement plan (May-2019) prepared by the TANTRANSCO for the project No.51308-001 on the basis of the representation of the petitioner dated 20.10.2020, 21.10.2020 and 27.01.2020 to the respondents.

For Petitioner : Mr.B.Saravanan
For R-1 &
R-3 to R-5 : Mrs.M.Parameshwari,
for Mr.S.M.S.Johny Basha.

For R-2 & R-6 : Mr.M.Rajarajan,
Additional Government Pleader.

O R D E R

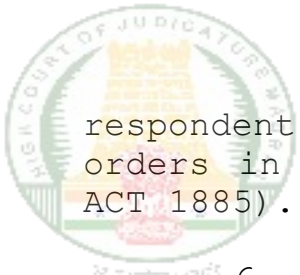
Heard the learned counsel appearing for the petitioner and the learned Standing counsel appearing for the TANTRANSCO and the learned Government Advocate appearing for respondents 2 and 6.

2. The petitioner is the owner of the petition mentioned lands. Already HT lines of the TANTRANSCO are passing across the petitioner's lands. Now there is a proposal to draw one more line across the petitioner's lands. Aggrieved by the same, this writ petition has been filed.

3. The respondents have filed counter affidavit and in paragraph No.9 certain technical reasons have been set out as to why it is not possible to effect any re-alignment as suggested by the petitioner.

4. A mere look at the reasons set out in paragraph No.9 would show that there are technical reasons suggested by the expert authorities. In this case, it may not be open to this Court to interfere in such matters. But fortunately for the petitioner, the officials of the TANTRANSCO took the stand that the new line to be drawn will run close to the boundary line of the petitioner's lands and that the damage to the petitioner will be minimal. If that be so, the petitioner also may not have much of objection.

5. Be that as it may, the petitioner is permitted to submit her objections before the second respondent and the second



respondent after hearing both the parties will pass appropriate orders in accordance with law(Section 16 of THE INDIAN TELEGRAPH ACT 1885).

6. This writ petition stands disposed of on these lines. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(T & P)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

pmu

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:

1. The Chairman,
Tamil Nadu Transmission
Corporation Ltd., (TANTRANSCO),
No.144, Anna Salai,
Chennai.
2. The District Collector,
Dindigul,
Dindigul District.
3. The Superintending Engineer,
TANTRANSCO,
General Construction Circle,
K.Pudur,
Madurai - 625 007.
4. The Executive Engineer,
TANTRANSCO,
(765 KV Double Circuit
Virudhunagar-Coimbatore
Transmission Line),
No.22/61, Ramamoorthi Road,
Sivakamipuram, Virudhunagar.



5. The Assistant Executive Engineer,
Transmission Line Construction,
TANTRANSCO,
Angu Nagar, Meenakshinayakkan Patti,
Dindigul - 624 004.

6. The Revenue Divisional Officer,
Dindigul District.

+1 CC to M/s.B.SARAVANAN, Advocate (SR-3169[F] dated 03/02/2021)
+1 CC to M/s.GP (SR-3069[F] dated 03/02/2021)

W.P. (MD) No.19658 of 2020
02.02.2021

SRK(CO)
TR(17.02.2021) 4P 9C