



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.01.2022

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.NO.15126 OF 2015

AND

M.P.NO.1 OF 2015

C.Palanimuthu

... Petitioner

Vs

1. M/s.Powergrid NM Transmission Ltd.,
(A Government of India Enterprise)
Site Office: 400 KV Substation,
Konakapadi Post,
K.R.Thoppur,
Salem, Tamilnadu - 636 502
2. The Assistant Director,
Agricultural Union office,
Pethanaickenpalayam Post
Attur Post,
Salem District.
3. The Assistant Director,
Horticultural Union Office,
Pethanaickenpalayam Post,
Attur Taluk, Salem District.

...Respondents

PRAYER : Writ Petition filed Under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the reocrds realting to the impugned notice under reference NO.1060 Dated 02.03.2015 issued by the 1st Respondent under Indian Telegraphs Act, 1885 and quash the same and consequently direct the Respondents to assess compensation in respect of the trees / crops that are likely to be damaged within the Right of Way (RoW) for the proposed construction of Nagapattinam Pooling station New Salem (Dharmapuri) 765 KV D/C Transimission Line passing through the petitioners land in Survey Nos. 102/1 and 2, 103/1, 4, 5, 6 at Chinnammassamudram Village, Attur Taluk, Salem District, before requiring the petitioner to remove crops/trees therein.



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For Petitioner : M/s.Pass Associates
For Respondents : Mr.V.Kalyana Raman
For M/s.Aiyar and Dolia
[For R1]
: Mr.T.Venkatesh Kumar
Special Government Pleader
[For R2 & R3]

O R D E R

The notice dated 02.03.2015 issued by the first respondent under the Telegraph Act, 1885 is sought to be quashed in the present writ petition. Consequential direction is sought for to direct the respondents to assess compensation in respect of the trees / crops that are likely to be damaged within the Right of Way (RoW) for the proposed construction of Nagapattinam Pooling station New Salem (Dharmapuri) 765 KV D/C Transimission Line passing through the petitioners land in Survey Nos. 102/1 and 2, 103/1, 4, 5, 6 at Chinnammasamudram Village, Attur Taluk, Salem District, before requiring the petitioner to remove crops/trees.

2. The learned counsel appearing on behalf of the first respondent / Corporation made a submission that during the pendency of the writ petition, the compensation was quantified and a sum of Rs.1,40,73,320/- (Rupees One Crore Forty Lakhs Seventy Three Thousand Three Hundred and Twenty only) has been settled in favour of the writ petitioner.

3. In view of the fact that the writ petition was filed, challenging the notice and subsequently, the project was completed and is functional and further, the compensation is also settled in favour of the petitioner, no further adjudication is required. However, if any grievances exists for the petitioner, it is left open to the petitioner to approach the competent authorities for redressal of the same.

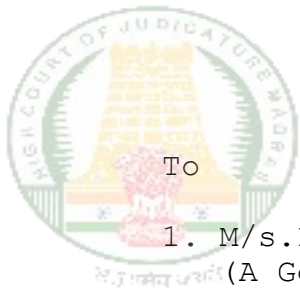
4. With these observations, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS-VII)

//True Copy//

Sub Assistant Registrar

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To

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Attur Taluk, Salem District.

+1cc to M/s.Aiyar and Dolia, Advocate, S.R.No.3246

+1cc to the Government Pleader, S.R.No.3718

W.P.No.15126 of 2015

SMI (CO)
RLP (07/02/2022)