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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.06.2022

CORAM

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P. No.24889 of 2015  
and M.P.No. 1 of 2015

L.Vetri Selvi

...Petitioner

Vs.

1.The Chairman cum Managing Director,  
Tamil Nadu Generation and Distribution  
Corporation Limited (TANGEDCO),  
NPKRR Maaligai,  
144, Anna Salai,  
Chennai-600 002.

2.The Superintending Engineer,  
Development Circle-1,  
No.A10, Thiru.V.Ka.Industrial Estate,  
Guindy, Chennai-600 032.

3.The District Collector,  
Thiruvallur.  
(R3 is impleaded as per the order dated 08.02.2017  
in W.P.No.24889/2015)

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus forbearing the respondents or their men or agents or anyone claiming through them from proceeding further in the petitioner land situated at Plot No. 31 to an extent of 2400 Sq.Feet in Shri Vinayagapuram Nagar in Survey No.21/18 at Vellanoor Village Ambattur Taluk Tiruvallur District in respect of any work for the purpose of Erection of Korattur Substation to Manali Double Circuit DC 400Kv without due process of law.

For Petitioner : Mr.V.Manohar

For R1 : Ms.Revathy  
for Mr.Madusuthanan  
Standing Counsel for TNEB

For R2 and R3 : Mr.C.Selvaraj  
Additional Government Pleader



## O R D E R

This Writ Petition has been filed seeking for issuance of a Writ of Mandamus, to forbear the respondents or their men or agents or anyone claiming through them from proceeding further in the petitioner's land situated at Plot No. 31 to an extent of 2400 Sq.Feet in Shri Vinayagapuram Nagar in Survey No.21/18 at Vellanoor Village Ambattur Taluk Tiruvallur District in respect of any work for the purpose of Erection of Korattur Substation to Manali Double Circuit DC 400Kv without due process of law.

2. On 17.02.2020, an additional counter affidavit was filed by the respondents wherein it was stated that line has been energized on 13.02.2020 and erection of tower in the petitioner's land is not required any longer. It was further stated that the tower stub setting and the foundation will be removed and the location will be levelled as it existed earlier within a period of 30 days from the date of commencement of work. The same was recorded by this Court vide its order dated 18.02.2020 and the matter was called on 04.06.2020, when some more time was sought for. This Court was pleased to observe as under:

"It is submitted by the learned Standing Counsel appearing for the respondent-Board that the concrete tower stub setting has been removed to a depth of about two metres and the remaining one metre is the foundation which could not be removed by using drillers and the respondents are exploring alternate methods because detonation cannot be done as it is a residential area.

2. Let the progress be reported to this Court and the second respondent shall take earnest steps to remove the entire concrete tower stub, failing which, this Court may be constrained to pass appropriate order and may also order for compensation for the land computed on the basis of the guidelines value prevailing as on date.

"

3. It is submitted by the learned counsel for the petitioner that the structure has now been removed in compliance with the undertaking by the respondent and therefore nothing survives in this writ petition.



4. Hence, this present writ petition is dismissed as having become infructuous. No costs. Consequently, connected miscellaneous petitions are closed.

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Sd/-  
Assistant Registrar (CS-IX)

//True copy//

Sub Assistant Registrar

Psa

To:

1.The Chairman cum Managing Director,  
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Corporation Limited (TANGEDCO),  
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Guindy, Chennai-600 032.

3.The District Collector,  
Thiruvallur.

+lcc to Mr.V.Manohar, Advocate SR.No.36373

+lcc to Mr.V.Manohar, Advocate SR.No.36373 (06/07/2022)

W.P. No.24889 of 2015

SJ(CO)  
GMY(30/06/2022)