



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25-01-2022

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

WP NO.24495 OF 2016

AND

WMP NO.20924 OF 2016

M.Gopalsamy

...Petitioner

vs.

- 1.The Chairman,
Tamil Nadu Electricity Board,
NPKRR Maaligai,
No.144, Anna Salai,
Chennai - 600 002.
- 2.The Chief Engineer,
Tamil Nadu Transmission Corporation,
Mannarpuram, Trichy - 620 020.
- 3.The Superintending Engineer,
General Construction Circle,
Tamil Nadu Transmission Corporation,
No.182, Doctor Subbarayan Salai,
Tatabad, Coimbatore - 641 012.
- 4.The District Collector,
Tiruppur District,
Tiruppur - 641 604.

...Respondents

Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorarified Mandamus, calling for the records of order dated 30.06.2015 in proceedings No.Na.Ka. No.815/2014/Vu4 on the file of the fourth respondent and quash the same and to forbear the respondent authorities from erection of electrical towers and transmission of lines in respect of the petitioner property comprised in S.No.325/8 situated at Padiyur Village, Kangayam Taluk, Tiruppur District.

For Petitioner : Mr.K.Mayilsamy

For Respondents-1 to 3 : Mr.M.Abdul Kalam,
Standing Counsel for TANGEDCO.



For R4

: Mr.M.Rajendiran,
Additional Government Pleader

O R D E R

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The order impugned dated 30.06.2015 was passed by the fourth respondent-District Collector declining to grant exemption from erection of High Tension Electricity Tower in the land belongs to the petitioner. The order impugned was passed pursuant to the directions issued by this Court to consider the representation submitted by the petitioner in W.P.No.33568 of 2013 dated 12.12.2013. An enquiry was conducted in the presence of the writ petitioner and the District Collector rejected the same.

2. However, the learned counsel for the petitioner made a submission that no such erection was done in the property belonged to the petitioner so far. The petitioner states that there is a likelihood of interference pursuant to the order of the District Collector. In fact, the District Collector rejected the appeal on 30.06.2015 and about seven years lapsed, even now the respondents 1 to 3 have not initiated any steps to erect the High Tension Electricity Tower in the land belonged to the petitioner. Therefore, the petitioner cannot sustain the cause which aroused in the year 2015 and it is not made clear as to whether any new proposal has been made for the purpose of construction of tower in the land belonged to the petitioner. In the event of any grievance arises, then the petitioner is at liberty to approach the Competent Authority and as of now, there is no grievance exists for the petitioner for the purpose of adjudication of issue.

3. Accordingly, the writ petition stands closed. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is also closed.

Sd/-

Assistant Registrar(CS-II)

// True Copy //

Sub Assistant Registrar

Svn

To

1.The Chairman,
Tamil Nadu Electricity Board,
NPKRR Maaligai,
No.144, Anna Salai,
Chennai - 600 002.



2.The Chief Engineer,
Tamil Nadu Transmission Corporation,
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3.The Superintending Engineer,
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No.182, Doctor Subbarayan Salai,
Tatabad, Coimbatore - 641 012.

4.The District Collector,
Tiruppur District,
Tiruppur - 641 604.

+1cc to Mr.K.Myilsamy, Advocate Sr.No.4680

+1cc to the Government Pleader Sr.No.5250, 5163

+1cc to Mr.S.Madhusudanan, Advocate Sr.No.4845

W.P.Np.24495 of 2016

GPL(CO)
RVM(08/02/2022)