



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 13.06.2022

CORAM

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.No.14587 of 2022

Saravana Muthu

..Petitioner

-Vs-

1. The Supervising Engineer,
TANGEDCO,
Palladam,
Tiruppur District.

2. The Executive Engineer,
TANGEDCO,
Kangayam,
Tiruppur District.

3. The Assistant Engineer,
TBEB Limited,
Kangayam South,
Tiruppur District.

..Respondents

Prayer: Writ Petition filed lunder Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to disburse the compensation amount determined as per the proceedings in Pa.Ve.No.800/2016/Aa3 dated 28.11.2017 by the Tahsildar, Kangayam with interest by considering the petitioner's representation dated 03.09.2020.

For Petitioner	: Mr.R.Prabakar
For Respondent	: Mr.Abul Kalam for TNEB

O R D E R

This writ petition has been filed for a Mandamus seeking for a direction to the respondents to disburse compensation amount determined as per the proceedings dated 28.11.2017 by the Tahsildar, Kangayam, with interest, based on the petitioners' representation dated 03.09.2020, within a time frame to be fixed by this Court.



WEB GATES

2. The petitioner's trees have been destroyed due to fire in the electric lines of the respondents. The petitioner sought for compensation for the damaged trees. According to the petitioner, by proceedings dated 28.11.2017 of the Tahsildar, Kangeyam, the compensation was assessed, but till date the said compensation amount has not been paid by the respondents. The petitioner has given a representation on 03.09.2020 to the respondents calling upon them to pay the determined compensation amount. Since the representation has not been considered till date, he has filed this writ petition.

3. Heard Mr.R.Prabakar, the learned counsel for the petitioner and Mr.Abul Kalam, the learned Standing Counsel for TNEB who accepts notice on behalf of the respondents.

4. On instructions, the learned Standing Counsel for TNEB would submit that the respondents are willing to consider the petitioner's representation within a period of six weeks from the date of receipt of a copy of this order.

5. No prejudice will be caused to the respondents if the petitioner's representation seeking for compensation for the destroyed trees in his agricultural property is considered on merits and in accordance with law in terms of the assessment made by the Tahsildar, Kangeyam on 28.11.2017 within the time frame to be fixed by this Court.

6. For the forgoing reasons, this Court directs the 3rd respondent to pass final orders on the petitioner's representation dated 03.09.2020 seeking for compensation for the destroyed trees in his agricultural property, pursuant to the assessment made by the Tahsildar, Kangeyam as on 28.11.2017, within a period of six weeks from the date of receipt of a copy of this order, after affording a fair hearing to the petitioner including granting him the right of personal hearing.

7. With the aforesaid direction, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

vsi

To

1. The Supervising Engineer,
TANGEDCO,
Palladam,Tiruppur District.



2. The Executive Engineer,
TANGEDCO,
Kangeyam,
Tiruppur District.

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3. The Assistant Engineer,
TBEB Limited,
Kangeyam South,
Tiruppur District.

+1 cc to Mr.R.Prabakar, Advocate Sr.NO. 34804

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kj (CO)

A.SK(05/07/2022)