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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.03.2022

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THE HONOURABLE Mr.JUSTICE K.KALYANASUNDARAM

W.P.No.29171 of 2014 &
M.P.No.1 of 2014

P.Narayanan

...Petitioner

Vs.

1. The Chairman,
Tamil Nadu Transmission Corporation Ltd.,
(TANTRANSCO),
144, Anna Salai, Chennai.
2. The Chief Engineer,
Transmission,
Tamil Nadu Transmission Corporation Ltd.,
(TANTRANSCO), 144, Anna Salai,
Chennai.
3. The Superintending Engineer,
Central Construction Circle-II,
A-10, T.V.K.Industrial Estate,
Chennai - 600 032.
4. The District Collector,
Kanchipuram District,
Kanchipuram.

...Respondents

Prayer :- This Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Certiorarified Mandamus, to call for the records on the file of the respondents relating to the impugned order dated Nil-07-2014 of the second respondent bearing Ref.Ka.No.Tha/Po/Civil/Se.Po/Ko.Vazakku/A.No._/2014 signed on 17.07.2014 and quash the same and consequently forbear the respondents from in any way interfering with the petitioner's ownership and enjoyment of the lands comprised in S.F.No.40/3F measuring 19 cents and S.No.40/3E measuring 22 1/2 cents in Siruseri Village, Chengleput Taluk, Kanchipuram District either under the guise of installing transmission tower or for any other purpose without following the due process of law.



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For Petitioner : Ms.S.Janani
For Mr.N.Raj Kumar

For Respondents : Mr.L.Jai Venkatesh
Standing Counsel for R1 & R2

Mr.S.Madhusundaram for R3

Mr.M.Sampath Kumar
Government Advocate for R4

ORDER

Heard Ms.S.Janani, learned counsel for the petitioner; Mr.L.Jai Venkatesh, learned Standing Counsel for the respondents 1 and 2; Mr.S.Madhusundaram, learned counsel for the third respondent; Mr.M.Sampath Kumar, learned Government Advocate for the fourth respondent and perused the materials available on record.

2. The prayer in the Writ Petition is to quash the order passed by the second respondent dated _07.2014 and consequently forbear the respondents from in any way interfering with the petitioner's ownership and enjoyment of the lands comprised in S.F.No.40/3F measuring 19 cents and S.No.40/3E measuring 22 1/2 cents in Siruseri Village, Chengleput Taluk, Kanchipuram District either under the guise of installing transmission tower or for any other purpose without following the due process of law.

3. The case of the petitioner is that he is the owner of an extent of 41 1/2 cents in S.No.40/3 F and 40/3 E of Siruseri Village, Tiruporur Panchayat Union, Chengleput Taluk, Kanchipuram District by virtue of a sale deed dated 10.08.2005. He would claim that he has been in possession and occupation of the same and he has also put up a small house therein. While so, on 21.04.2014, the officials of TANGEDCO, came to his property and started surveying the same for erecting a tower for new transmission line, which was being laid across Pudupakkam, Siruseri, Karanai Road. The objection of the petitioner dated 25.04.2014 was not considered. Hence, the present Writ Petition.

4. The learned Standing Counsel appearing for the respondents 1 to 3 would state that the erection of power line was completed in the year 2017 itself and if the petitioner is having any grievance, he has to approach the fourth respondent.



5. Since the erection of tower line was already completed long back, I am of the opinion that nothing survives for consideration in this Writ Petition. Hence, the prayer sought for in the Writ Petition has become infructuous and the Writ Petition is dismissed as infructuous. It is made clear that if the petitioner is having any grievance, he is given liberty to approach the competent Authority for redressal of the same. There is no order as to costs. Consequently, connected miscellaneous petition is closed.

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

1. The Chairman,
Tamil Nadu Transmission Corporation Ltd.,
(TANTRANSCO),
144, Anna Salai, Chennai.
2. The Chief Engineer,
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Tamil Nadu Transmission Corporation Ltd.,
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3. The Superintending Engineer,
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4. The District Collector,
Kanchipuram District,
Kanchipuram.

+1 CC to The Government Pleader sr 21082.

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M.P.No.1 of 2014

KV(CO)
SP(19/04/2022)