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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.01.2022

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THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P. No. 28477 of 2021

G.Venkatesh

.. Petitioner

Versus

1 The Chairman and Managing Director
Power Grid Corporation of India Ltd
(PGCIL) B-9 Qutab Institutional Area
Katwaria Sarai New Delhi-110 016.

2 The Chief General Manager (TN projects)
Power Grid Corporation of India Ltd.
(PGCIL) No.2 First Lane, Bharathi Nagar,
North Usman Road T.Nagar,
Chennai-600 017.

3 The Senior Deputy General Manager
Karur 400 KV SS - Project In-Charge
Power Grid Corporation of India Ltd. (PGCIL)
Coimbatore Main Road K.Paramathy Post
Karur Tamil Nadu.

4. The District Collector
Office of the District Collector,
Kallakurichi District, Kallakurichi-606 202. .. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus Directing the respondents herein to consider the petitioners representation dated 20.9.2021 wherein this petitioner had requested the respondents herein to measure the property so as to assess the loss of land etc. caused due to the passing of HT Transmission Lines (TW-04) (Corridor only) (Project name Pugalur HVDC-Thiruvalam 400 KV (Quad) D/C Line (Part II)) carried out by 1 to 3 respondents herein through the property of this petitioner and award appropriate compensation to this petitioner after taking into account that due to passing of HT Transmission lines only to the height of 16 to 17 meters above the ground level (on contrary to the submissions made before the Honourable High Court in W.P.12848 of 2020 that the HT lines were taken above 25 meters height from the ground level) and the loss of income caused to the petitioner due to the dropping of construction of



modern rice mill and further the expenses spent in raising the land, leveling the land and the cost of land which totally comes to an extent of a sum of Rs.50,00,000/- (Fifty lakhs) to the petitioner and because of these reasons the fact of loss of livelihood etc., caused to the petitioner, within a time frame as fixed by this Court.

For Petitioners : Mr.S.Vediappan

For Respondents : Mr.Kalyanaraman R1 to R3
Standing counsel

Mr.C. Sangamithirai R4
Special Government Pleader

ORDER

Mr.Kalyanaraman, learned Standing Counsel, takes notice for the respondents 1 to 3 and Mrs.C.Sangamithirai, learned Special Government Pleader takes notice for the first respondent. By consent of both parties, this writ petition is taken up for final disposal at the time of admission itself.

2.The present writ petition has been filed seeking a direction to the respondents to consider the petitioner's representation dated 20.09.2021.

3.The case of the petitioner is that he had purchased the property in S.No.294/2B to an extent of 0.12.82 hec. In survey No.294/5A to an extent of 0.6.40 hec, in survey no.294/3 to an extent of 0.11.50 and in survey No.294/4 to an extent of 0.30.00 hec totally measuring an extent of 0.60.72 (1.50 acres) comprised in patta No.2035 & 2089 in Ulagankathan Village, Kallakurichi Taluk and District in the year 2015. The petitioner has planned to construct a rice-mill in the abovesaid property. In the meantime, the respondents 1 to 3 have taken HT Transmission lines over the petitioner's land without consent of the petitioner. The petitioner sent representation dated 12.06.2020 to the respondents requesting not to take any HT transmission lines over the proposed site. But there was no reply from the respondents. Hence, the petitioner filed a writ petition before this Court in W.P.no. 2848/2020 and the same was dismissed on 01.10.2020. Again, the petitioner has made a representation dated 20.09.2021 requesting the respondents herein to measure the property so as to assess the loss of land and loss of livelihood etc., caused to the petitioner. However, till date, no order is passed. The petitioner has file the present writ petition before this Court.

4. The learned counsel for the petitioner submitted that



this Court may issue a suitable direction to the respondents to consider the petitioner's representation dated 20.09.2021 and pass appropriate orders within the time stipulated by this Court.

5. The learned Standing counsel appearing on behalf of the respondents submitted that if the petitioner is the owner of the aforesaid property, the representation dated 20.09.2021 will be considered and suitable orders will be passed on merits within the stipulated period as fixed by this Court.

6. Considering the facts and circumstances of the case and the limited relief sought for by the petitioner, this court, without going into the merits of the case, direct the respondents 1 to 3 to consider the petitioner's representation dated 20.09.2021 and pass appropriate orders, on merits and in accordance with law, after affording reasonable opportunity of hearing to the petitioner, within a period of six weeks from the date of receipt of a copy of this order.

7. With the aforesaid direction, this Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-II)

//True Copy//

Sub Assistant Registrar

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To

- 1.The Chairman and Managing Director
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+1cc to Mr.S.Vediappan, Advocate, S.R.No.982

W.P. No. 28477 of 2021

KSM(CO)
SB(24/01/2022)