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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.01.2022

CORAM:

THE HON'BLE MR.JUSTICE KRISHNAN RAMASAMY

W.P.No.32085 of 2017

and

W.M.P.Nos.35233 to 35235 of 2017

1.K.Muthusamy  
2.A.Malarkodi  
3.M.Raja  
4.P.Viswanathan

...Petitioners

Vs

1.Government of Tamil Nadu,  
Represented by  
The Principal Secretary to the Government,  
Energy Department,  
Fort St.George, Chennai - 600 009.

2.TANTRANSCO,  
Represented by its Principal Secretary/Chairman,  
10<sup>th</sup> Floor, NPKRR Maaligai,  
144, Anna Salai, Chennai - 600 002.

3.The District Collector,  
Salem District, Salem.

4.The Superintendent Engineer,  
General Construction Circle,  
TANTRANSCO,  
Aathur Bypass Road,  
Udayampatti, Salem.

5.The Executive Engineer,  
General Construction Circle,  
TANTRANSCO,  
Aathur Bypass Road,  
Udayampatti, Salem.

...Respondents



Prayer:

Writ Petition filed Under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus, to call for the records of the 5<sup>th</sup> respondent's application in Ka.No.Se.Po/Mi.Tho.Ka/Salem/ Ko.Rasipalayam-Palavadi 400 K.Vo.Power Line/No. /17 dated 30.10.2017 made in proceedings of the 3<sup>rd</sup> respondent in Na.Ka.No.17741/2017/P2 not served to the petitioner and quash the same and consequently directing the respondents to adopt, implement and adhere with the provisions of Section 68 of the "Electricity Act, 2003" and the "Works of Licensees Rules, 2006".

For Petitioners :No appearance

For R1 to R3 :Mr.M.Shahjahan  
Special Government Pleader

For R2, R4 & R5 :Mr.S.Madhusudanam  
Standing Counsel

#### O R D E R

When this matter came up for hearing on earlier two occasions, i.e. 22.12.2021 and 04.01.2022, there was no representation on behalf of the petitioners. In order to give one more opportunity, this Court passed an order, directing the Registry to list this matter under the caption "For Dismissal" today i.e., 25.01.2022.

2. Even today, when the matter is taken up for hearing, none appeared for the petitioners. However, Mr.S.Madhusudanam, learned Standing Counsel appearing for the respondents 2, 4 and 5, would submit that the electricity line was laid on the petitioners' land and the erection work also been completed. Further, he submits that the petitioners have also received the compensation. Therefore, as of now, there is no grievance and nothing survives in the present matter for adjudication.

3. Since the prayer sought for in this Writ Petition has become infructuous, probably, that might be the reason, why, the petitioners have not inclined to appear before this Court on all the three occasions. Thus, in the absence of any interest shown by the petitioners, this Writ Petition is liable to be dismissed for non-prosecution.



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4. Accordingly, this Writ Petition is dismissed for non-prosecution. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS-VIII)

// True Copy //

Sub Assistant Registrar

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To

1.The Principal Secretary to the Government,  
Energy Department,  
Fort St.George, Chennai - 600 009.

2.The Principal Secretary/Chairman,  
TANTRANSCO,  
10<sup>th</sup> Floor, NPKRR Maaligai,  
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General Construction Circle,  
TANTRANSCO,  
Aathur Bypass Road,  
Udayampatti, Salem.

+1cc to the Government Pleader, SR.No.4912

W.P.No.32085 of 2017

JPL(CO)  
CB(09/03/2022)