



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.03.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.[MD]No.4832 of 2022

M.Thangavel

... Petitioner

Vs.

1.The Chairman Cum Managing Director,
Tamil Nadu Generation and
Distribution Corporation Ltd.,
6th Floor,
Tan Transco Building,
144, Annasalai,
Chennai - 600 002.

2.The Superintending Engineer,
EB Tower Line Construction,
Manarpuram,
Trichy.

3.The Superintending Engineer,
Tamil Nadu Generation and
Distribution Corporation Ltd.,
Opp. to Rogini Hospital,
Thanjavur Town & District.

4.The Executing Engineer,
110 KV, SS Campus Compound,
M.C.Road,
Thanjavur Town & District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to consider the petitioner representation dated 08.02.2022 and consequently directing the respondents to remove the disusage electric poles and the service line of 66 KV which was drawn from Thanjavur City to Saliayamangalam Village and the same is crossing on the petitioner's patta lands viz., 94/2B, 128/1B, 92/1, 92/3, 36/1, 36/3, 35/1, 35/3, 129/3, 91/2, 127/1 and 54/3 and further direct the respondents to ensure the proposed high-tension power line tower No.86 is not hindrance to the petitioner's patta land viz., survey numbers namely 98/3B1, 117/3A1, 98/1, 98/5B2 and 98/7, 98/3A within the time stipulated by this Court.

For Petitioner : Mr.D.R.Murugesan
For Respondents : Mr.S.Deenadhayalan
Standing Counsel



O R D E R

This Writ Petition has been filed for a Mandamus seeking for a direction to the respondents to consider the petitioner's representation dated 08.02.2022, requesting the respondents to remove the unused electric poles and service line of 66KV which is drawn from Thanjavur City to Saliyamangalam Village, as the same is crossing on the petitioner's patta lands situated in Survey Nos.94/2B, 128/1B, 92/1, 92/3, 36/1, 36/3, 35/1, 35/3, 129/3, 91/2, 127/1 and 54/3 and further direct the respondents to ensure the proposed high-tension power line Tower No.86, is not causing any hindrance to the petitioner's patta land situated at Survey Nos.98/3B1, 117/3A1, 98/1, 98/5B2 and 98/7, 98/3A.

2. According to the petitioner, he is the absolute owner of the aforementioned property. According to him there are unused electric poles still lying in his property which have not been removed by the respondents despite not being used by the respondents. The petitioner also wants the respondents not to erect high tension power lines through his property comprised S.No.98/3B1, 117/3A1, 98/1, 98/5B2 and 98/7, 98/3A. He has given a representation on 08.02.2022 for the said purpose. Since the said representation has not been considered till date, he has filed this writ petition.

3. Heard Mr.D.R.Murugesan, learned Counsel appearing for the petitioner and Mr.S.Deenadhayalan, learned Standing Counsel who accepts notice on behalf of the respondents.

4. No prejudice would be caused to the respondents if the petitioner's representation referred to supra dated 08.02.2022 is considered on merits and in accordance with law after affording a fair hearing to the petitioner including granting him the opportunity of personal hearing.

5. Accordingly, this Court directs the fourth respondent to consider the petitioner's representation dated 08.02.2022 requesting the respondents to remove the unused electric poles and service line of 66KV which is drawn from Thanjavur City to Saliyamangalam Village, as the same is crossing on the petitioner's patta lands situated in Survey Nos.94/2B, 128/1B, 92/1, 92/3, 36/1, 36/3, 35/1, 35/3, 129/3, 91/2, 127/1 and 54/3 and further requesting the respondents to ensure the proposed high-tension power line Tower No.86, is not causing any hindrance to the petitioner's patta land situated at Survey Nos.98/3B1, 117/3A1, 98/1, 98/5B2 and 98/7, 98/3A and pass final orders on merits and in accordance with law after affording a fair hearing to the petitioner including granting him the right of personal hearing within a period of twelve [12] weeks from the date of receipt of a copy of this order.



6. With the above direction, this Writ Petition is disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar (AD-I)

WEB COPY

// True Copy //

/ /2022

Sub Assistant Registrar (CS)

MR

NOTE: *In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.*

To

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Thanjavur Town & District.

+1 CC to M/s. S. DEENADHAYALAN, Advocate (SR-13561[F]
dated 22/03/2022)

ORDER MADE IN

W.P. [MD]No.4832 of 2022

18.03.2022

nsn (CO)

GC (31.03.2022) 3P 6C