



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **18.05.2022**

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

AND

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P (MD) No.10009 of 2022

and

W.M.P. (MD) .No.7132 of 2022

WEB COPY

S.Sakthivel Murugan,
District Secretary,
Bharatiya Janata Party,
District Office,
Madurai Bypass Road,
Karur-629 002.

...Petitioner

Vs.

1.The District Collector,
Office of the Collectorate,
Karur District-639 005.

2.The District Revenue Officer,
Office of the Collectorate,
Karur District-639 005.

3.The Revenue Divisional Officer,
Office of the Sub-Collector,
North Pradakshnam Road,
Karur-639 001.

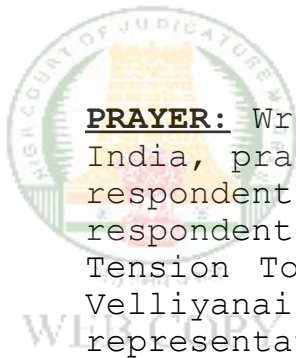
4.The Tahsildar,
Taluk Office, Jawahar Bazaar,
Karur-639 001.

5.The Secretary,
Velliyanai Panchayat,
Karur-Dindigul Main Road,
Velliyanai,
Karur District-639 118.

6.The Executive Officer,
Sri Arulmighu Kalyana Pasupatheeswarar Temple,
Karur, Karur District.

7.Velliyanai Wind Park Private Limited,
Represented by its Manager / director,
New No.97, Old No.47,
Linghi Chetty Street,
Chennai-600 001.

...Respondents



PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 1 to 6 herein not to grant permission to the seventh respondent to install and complete the private 110/33 KV High Tension Tower near the Temple Premises of Sri Mariamman Temple at Velliyanai Village, Karur District, on the basis of the petitioner's representation dated 11.05.2022.

For Petitioner : Mr.V.Balaji

For RR1 to 5 : Ms.D.Farjana Ghoushia
Special Government Pleader

For R6 : Mr.P.Aathiomoolapandian

O R D E R

(Order of the Court was made by ABDUL QUDDHOSE, J.)

Ms.D.Farjana Ghoushia, learned Special Government Pleader, accepts notice on behalf of respondent Nos.1 to 5.

2. Mr.P.Aathimoola Pandian, learned counsel accepts notice on behalf of the sixth respondent.

3. This writ petition has been filed for a Mandamus seeking for a direction to respondent Nos.1 to 6 not to grant permission to the seventh respondent to install and complete the private 110/33 KV High Tension Tower near the Temple Premises of Sri Mariamman Temple at Velliyanai Village, Karur District, on the basis of the petitioner's representation dated 11.05.2022, within the time frame to be fixed by this Court.

4. The petitioner claims that he is a worshipper of the temple and he is the District Secretary of Bharatia Janata Party, Karur District. In such circumstances, he has filed this Public Interest Litigation.

5. According to the petitioner, the seventh respondent is attempting to install 110/33 KV High Tension Tower near the Temple Premises of Sri Mariamman Temple at Velliyanai Village, Karur District. It is also apprehended by the petitioner that if such High Tension Tower is erected, there is a possibility of electrocution to the worshippers who come to the temple. It is also stated in the affidavit that in a recent incident that some persons were electrocuted on account of erection of High Tension Tower near a temple chariot. The petitioner has given a representation on 11.05.2022 requesting respondent Nos.1 to 6, to forbear the seventh respondent from erecting the High Tension Tower. No prejudice would be caused to the respondents, if the petitioner's representation is considered on merits and in accordance with law



after affording a fair hearing to the petitioner and the seventh respondent, including granting them the right of personal hearing.

6. For the foregoing reasons, this Court directs the first respondent to consider the petitioner's representation dated 11.05.2022 requesting respondent Nos.1 to 6, to forbear the seventh respondent from installing 110/33 1 KV High Tension Tower near the Temple Premises of Sri Mariamman Temple at Velliyanai Village, Karur District and pass final orders, on merits and in accordance with law, after affording a fair hearing to the petitioner and the seventh respondent including granting them the right of personal hearing, within a period of twelve weeks from the date of receipt of a copy of this order.

7. With the above direction, this writ petition is disposed of. No Costs. Consequently, connected Miscellaneous Petition is also closed.

Sd/-

Assistant Registrar (Vacation
Officer)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

PM

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

- 1.The District Collector,
Office of the Collectorate,
Karur District-639 005.
- 2.The District Revenue Officer,
Office of the Collectorate,
Karur District-639 005.
- 3.The Revenue Divisional Officer,
Office of the Sub-Collector,
North Pradakshnam Road,
Karur-639 001.
- 4.The Tahsildar,
Taluk Office, Jawahar Bazaar,
Karur-639 001.

<https://hcservices.ecourts.gov.in/hcservices/>



5.The Secretary,
Velliyanai Panchayat,
Karur-Dindigul Main Road,
Velliyanai,
Karur District-639 118.

+1 CC to M/s.V. BALAJI, Advocate (SR-23760[F] dated 19/05/2022)

+1 CC to M/s.SPL.GP (SR-23815[F] dated 19/05/2022)

W.P(MD)No.10009 of 2022
18.05.2022

RD(02.06.2022) 4P 8C