



W.P(MD)No.5653 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.12.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.5653 of 2019

1.P.Rajarathinam

2.Kubendiran

3.Chellapandi

4.Dinakaran

5.Muthukumar

6.Selvaraj

7.Vendamani

8.Mariyammal

9.Saroja

10.Rajamani

11.Periyakaruppan

... Petitioners

Vs.

1.The District Collector,
Dindigul District,
Dindigul.

2.The Tahsildar,
Nilakkottai Taluk,



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Nilakkottai,
Dindigul District.

WEB COPY

3.The Chief Manager (TLC)
Power Grid Corporation of India Limited,
(A Government of India Enterprise)
C-27, Brindavan Street, 4th Stop,
Thirunagar, Madurai.

4.The Executive Engineer,
Power Grid Corporation of India Limited,
Checkanoorani,
Madurai District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the Respondents herein to enhance the compensation for laying Overhead Electricity Towers in the Petitioner's landed properties bearing Survey Nos.116/3C, 115/2, 117/1, 118/1A, 114/2B, 116/3A, 117/4E, 118/4B, 114/3B1, 114/3A, 116/5AL, 123/5, 258/1E, 258/2A, 258/2B, 114/1D, 158/2, 162/7, 111/2, 114/1C, 117/4E, 129/1, 130/2, 118/1B, 118/2B, 118/2D and 118/5B situated at Kombaipatti Village, Nilakkottai Taluk, Dindigul District and also payment of compensation for Flower Crop Cultivation, damages for non utilization of the underneath land where KV Lines have been passing through the above said lands as per the guidelines of Nos.3/7/2015, dated 15.10.2015 Trans. Government of India Ministry of Power and on the basis of their representation dated 26.04.2017.

For Petitioner : Mr.J.Lawrance

For R1 & R2 : Mrs.S.Jayapriya
Government Advocate

For R3 & R4 : Mr.M.Suresh



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ORDER

Heard the learned counsel on either side.

2. The petitioner seeks enhancement of compensation for laying overhead electricity towers in the petition mentioned lands.

3. The learned counsel appearing for the Power Grid Corporation Limited brings to my notice that in such cases, the petitioner has to necessarily move the jurisdictional District Court. He drew my attention to the order dated 18.08.2021 made in W.A.No.380 of 2020 and the statutory scheme set out in the Indian Telegraph Act.

4. The writ petition is disposed of by permitting the petitioner to approach the District Court within a period of eight weeks from the date of receipt of a copy of this order by invoking Section 16(3) by making an application. If within the aforesaid time limit, the petition is filed before the jurisdictional District Court, it will be entertained without reference to limitation. The jurisdictional District Court will also decide the issue of sufficiency of compensation within a period of six months thereafter. The contentions of both the parties are left open.



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G.R.SWAMINATHAN, J.

rmi

5. The Writ Petition is disposed of accordingly. No costs.

08.12.2022

Index : Yes / No

Internet : Yes/ No

rmi

To

1.The District Collector,
Dindigul District,
Dindigul.

2.The Tahsildar,
Nilakkottai Taluk,
Nilakkottai,
Dindigul District.

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