



W.P.(MD).No.26337 of 2022

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.11.2022

CORAM

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P.(MD)No.26337 of 2022

and

W.M.P.(MD).No.20517 of 2022

S.Jeyakani

... Petitioner

VS.

- 1.The District Collector,
Tuticorin District,
Tuticorin.
- 2.The Superintending Engineer,
TANGEDCO,
General Administrative Circle,
K.Pudur,
Madurai.
- 3.The Executive Engineer,
TANGEDCO,
Tiruchendur,
Tuticorin District.
- 4.The Assistant Engineer,
TANGEDCO,
(Transmission line from
Udankudi Thermal Power plant to
Oddapidaram Sub Station,



W.P.(MD).No.26337 of 2022

Tiruchendur,
Tuticorin District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order in மேபொ/பொநிவ/மதுரை/உசெபொ/ஒரு/கோ.வழக்கு/அ.எண். 996/22, dated 03.11.2022 issued by the 2nd respondent and quash the same and consequently direct the 1st respondent to consider the petitioner's objection before proceedings to erect High Tension Line through the petitioner's land in S.No.622/2B, to an extent of 6 acres 82 cents, situated at Manaduthandupathu, Udankudi Village, Tiruchendur Taluk, Tuticorin District, based on the petitioner's representation dated 20.08.2022.

For Petitioner	: Mr.G.Mohan Kumar
For R1	: Mr.C.Satheesh
	Government Advocate
For R2 to R4	: Mr.S.Deenadhayalan
	Standing counsel



W.P.(MD).No.26337 of 2022

ORDER

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This Writ Petition has been filed challenging the impugned order passed by the second respondent dated 03.11.2022 and to quash the same and consequently direct the 1st respondent to consider the petitioner's objection before proceeding to erect High Tension Line through the petitioner's land in S.No.622/2B, to an extent of 6 acres 82 cents, situated at Manaduthandupathu, Udankudi Village, Tiruchendur Taluk, Tuticorin District, based on the petitioner's representation dated 20.08.2022.

2. The case of the petitioner is that she is the owner of the land in S.No.622/2 to an extent of 6 acres 82 cents situated at Manaduthandupathu, Udankudi Village, Tiruchendur Taluk, Tuticorin District. The respondents proposed to erect high tension 400/230-110 k.v. transmission line from Udankudi Thermal Power Plant to Oddaipidaram Sub Station. The proposed high tension line passes through the centre of the petitioner's land in S.No.622/2. Hence, the petitioner has made a representation through her husband on 20.08.2022 to the respondents objecting to the erection of high tension line. Subsequently, the petitioner



W.P.(MD).No.26337 of 2022

WEB COPY

has filed a writ petition in W.P.(MD).No.20624 of 2022, seeking to direct the competent authority to consider his representation, dated 20.09.2022 and this Court, by order dated 01.09.2022, directed the second respondent to consider the representation of the petitioner within a period of four weeks. However, the second respondent has passed the impugned order on 03.11.2022. But the first respondent is the competent authority to consider his representation under Section 16 of the Telegraphic Act. Challenging the same, the present writ petition has been filed.

3. Heard Mr.G.Mohan Kumar, learned counsel for the petitioner, learned Government Advocate appearing for the first respondent and the learned Standing counsel appearing for the respondents 2 to 4.

4. Considering the above facts, this Court directs the first respondent to consider the petitioner's representation dated 20.08.2022 and pass appropriate orders, on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.



W.P.(MD).No.26337 of 2022

WEB COPY

5. With the above direction, this Writ Petition is disposed of. No costs. Consequently, the connected Miscellaneous Petition is closed.

22.11.2022

Index: Yes/No

Internet: Yes/No

akv

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W.P.(MD).No.26337 of 2022

WEB COPY

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W.P.(MD).No.26337 of 2022

V.BHAVANI SUBBAROYAN,J.

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W.P.(MD)No.26337 of 2022

22.11.2022