



W.P.Nos.14363 to 14366 of 2016

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S.M.SUBRAMANIAM, J.

The issues raised in these present writ petitions had already been considered and this Court passed an order dated 18.11.2022 in the Contempt Petition Nos.1466 to 1469 of 2022 as follows:

“6. Such view of the matter, this Court is of the view that the compensation has been fixed on the basis of G.O.Ms.No.63, Energy (AI) Department dated 22.11.2017. Therefore, when the Government Order stipulates recommendation is only prospective in nature, the petitioner now cannot complain that there is a violation of the Order of the Court. As indicated above, this Court has given a direction to the first respondent to consider the guidelines. As the first respondent is the decision making authority, he has to follow the law governing the State, particularly the Government Orders and he has to act only on the Government Orders.

7. Such view of the matter, it cannot be held that the respondent committed contempt. Hence, this contempt petition stands closed.



However, liberty is granted to the petitioner to file the necessary petition challenging the compensation granted by the first respondent under Section 16(3) of the Indian Telegraphs Act within a period of one month from the date of receipt of a copy of this Order and on such application being filed, the petitioner is entitled to canvass the case to establish that the compensation passed by the first respondent is inadequate. On such application is filed, the District Court shall dispose of the petition expeditiously, considering on its own merits.”

2. The learned Additional Solicitor General of India appearing on behalf of the 2nd respondent brought to the notice of this Court that with regard to the claim for compensation, the petitioner has to approach the District Court under Section 16 (3) of the Indian Telegraph Act, 1885 and the said position has been clarified in the order passed in Contempt Petitions dated 18.11.2022.



W.P.Nos.14363 to 14366 of 2016

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3. Since the contempt petitions were already closed, the petitioners have to prefer an Appeal before the Competent Court of law in the manner contemplated.

4. Thus, no further orders are required.

12.04.2023

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