



WEB COPY



W.P.No.3836 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.03.2023

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.3836 of 2018

L.Ganapathy

...Petitioner

VS.

1. The Chairman and Managing Director,
M/s Power Grid Corporation of India Limited,
B-9, Qutab Institutional Area,
Katwaria Sarai,
New Delhi – 110 016.
2. The Deputy General Manager,
M/s.Power Grid Corporation of India Limited,
K.R.Thoppu,
Konakapadi Post,
Karukkalvadi Village,
Tharamangalam Via,
Omalur Taluk,
Salem District – 636 502.
3. The Chief Engineer,
M/s.Power Grid Corporation of India Limited,
765, KV.DC Line,
17/4, Vivekananthar Street,
Gandhi Nagar,
Nasiyanoor Road,
Erode – 638 011.

... Respondents



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Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents to pay the compensation with interest as per the certificate in CCTC No.8653, dated 22.09.2016, issued by the third respondent, for the petitioner's loss of trees located in Survey No.534/2 and 534/3 in Chennasamudharam Village, Kodumudi Taluk, Erode District.

For Petitioner : Mr.D.Selvaraj for
M/s.Kannan Kumar

For Respondents : Mr.V.Kalyanaraman for
M/s.Aiyar & Dolia

ORDER

This Writ Petition has been filed seeking for issuance of a Writ of Mandamus to direct the respondents to pay the compensation with interest as per the certificate in CCTC No.8653, dated 22.09.2016, issued by the third respondent, for the petitioner's loss of trees located in Survey No.534/2 and 534/3 in Chennasamudharam Village, Kodumudi Taluk, Erode District.



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2. It is the case of the petitioner that he is the owner of the land in S.No.534/2 and 534/3 situated in Chennasamudharam Village, Kodumudi Taluk, Erode District and cultivating coconut and mango trees in the said land. It is the further case of the petitioner that the respondents issued notice to the petitioner for erection of tower lines in the lands of the petitioner for the purpose of power transmission and during the erection work, the crops cultivated by the petitioner were destroyed and the same has been certified by the third respondent vide letters dated 19.08.2016 and 22.09.2016. Therefore, the petitioner, estimated a total loss as Rs.18,12,000/-. Though the respondents orally informed that the compensation amount for destruction of trees and other crops (97 saplings) will be paid to the petitioner, however, till date no compensation amount has been paid. Therefore, the petitioner issued legal notice to the respondents 2 and 3, requesting to release the compensation amount along with the interest. Since no orders have been passed, the above writ petition is filed.

3. Though very many grounds have been raised in the above writ petition, learned counsel for the petitioner submits that it would suffice if



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this Court issues a direction to the respondents to conclude the proceedings of the third respondent dated 22.09.2016 within a time frame that may be fixed by this Court.

4. Learned standing counsel appearing for the respondents has no objection for the said order being passed.

5. Heard learned counsel appearing on either side and perused the materials placed before this Court.

6. Considering the facts and circumstances of the case, this Court without going into the merits of the case directs the respondents to pass orders on the letter dated 22.09.2016 issued by the third respondent by paying a fair compensation to the petitioner for loss sustained by him i.e., 97 saplings, on merits and in accordance with law after affording an opportunity of hearing to the petitioner as well as aggrieved persons if any within a period of twelve (12) weeks from the date of receipt of a copy of this order.



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WEB COPY 7. Accordingly, this writ petition is disposed of. No costs.

09.03.2023

RAP

Index : Yes/No

Speaking order : Yes/No

To

1. The Chairman and Managing Director,
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M.DHANDAPANI, J.

RAP

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