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W.P.No.8652 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.03.2023

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THE HONOURABLE MR.JUSTICE **M.DHANDAPANI**

W.P.No.8652 of 2023

D.Hari Krishna

...Petitioner

Vs.

1. The District Collector,
Ranipet District.

2. Power Grid Corporation of India Limited,
765/400 KV, Sub Station,
K.R.Thangal Village (PO),
Katpadi taluk, Vellore District.

...Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to consider the representation of the petitioner dated 25.02.2022 in pursuant to the compensation remaining amount of Rs.66,91,600/- and also to the remaining compensation amount for Land to an extent of 1 Acre 75 and Half cents in terms of Section 10(d) Indian Telegraph Act, 1885.

For Petitioner : Mr.G.Murugendran

For Respondents : Mr.E.Veda Bagath Singh, Spl.GP, for R1



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: Mr.S.Kalyanaraman, for R2

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ORDER

The petitioner has filed this Writ petition seeking issuance of a Writ of Mandamus to direct the respondents to consider the petitioner's representation dated 25.02.2022 and dispose of the same.

2. Mr.E.Veda Bagath Singh, learned Special Government Pleader, takes notice for the 1st respondent. Mr.S.Kalyanaraman, learned counsel takes notice for the 2nd respondent. In view of the consent expressed by the Learned counsel on either side, this petition is taken up for final disposal.

3. The case of the petitioner is that the petitioner's land measuring an extent of 1Acre 75 and a half cent was acquired by the respondents for the purpose of installation of High voltage electric power Transmission lines, for which the respondents arrived at a compensation of Rs.4,52,788/- for the land and a compensation of Rs.23,88,400/- for the trees which were cultivated by the petitioner in the acquired land and the same was paid to the petitioner. Aggrieved by the said compensation amount, the petitioner made a representation seeking enhanced compensation, which evoked no



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response. Therefore, the petitioner sent a legal notice dated 25.02.2022 to the respondents, seeking to pay the balance amount of Rs.66,91,600/- as per his calculation in terms of Section 10(d) of the Indian Telegraph Act, 1885. However, till date, no orders have been passed on the said representation. Hence, this Writ petition.

4. Though very many grounds have been raised, learned counsel for the petitioner submitted that, it would suffice, if this Court issues direction to the respondents to consider the petitioner's representation dated 25.02.2022, and pay the balance compensation amount in terms of Section 10(d) of the Indian Telegraph Act, 1885 to the petitioner, as expeditiously as possible.

5. Learned counsel appearing for the 2nd respondent submitted that, if at all the petitioner is aggrieved by the compensation amount arrived at by the respondents, the petitioner has to approach the competent civil court. While so, instead of approaching the competent civil court, filing the present Writ petition is not sustainable. Hence, he prayed for dismissal of this Writ petition.



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6. On the above said contentions, heard learned Special Government

Pleader appearing for the 1st respondent.

7. In view of the aforesaid submissions, this Court without expressing any opinion on the merits of the case, directs the respondents to consider the petitioner's representation/legal notice dated 25.02.2022 on merits and in accordance with law and pass appropriate orders, within a period of eight weeks from the date of receipt of a copy of this order, after affording an opportunity of personal hearing to the petitioner and aggrieved persons, if any.

8. This Writ petition is accordingly disposed of. No costs.

21.03.2023

skt

Speaking Order : Yes/ No

Index : Yes/ No

To

1. The District Collector,
Ranipet District.

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2. Power Grid Corporation of India Limited,
765/400 KV, Sub Station,
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M.DHANDAPANI, J.

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