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C.R.P.No.1810 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.06.2023

CORAM:

THE HONOURABLE Dr. JUSTICE D. NAGARJUN

Civil Revision Petition.No.1810 of 2023
and C.M.P.No.11674 of 2023

N.Baskar

... Petitioner

Vs.

1. The Power Grid Corporation of India Ltd.,
(A Government of India Enterprise)
Rep., by its Managing Director,
B-9, Qutab Institutional Area,
Katwaria Sarai, New Delhi.
2. The Power Grid Corporation of India Ltd,
Regional Office,
SR-II, Race Course Road, Bangalore.
3. The Chief Manager,
Power Grid Corporation of India Ltd,
400 KV Sub Station-Pennalur,
Sriperumbudur.
4. The District Magistrate/ District Collector,
Kanchipuram District,
Kanchipuram.

...Respondents



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Prayer: Civil Revision Petition filed under Article 227 of Constitution of India, to set aside the order and decretal order dated 10.03.2023 made in I.A.No.4 of 2023 in O.P.No.61 of 2021 of the District and Sessions Court-II, Kanchipuram in partly dismissing the application of reception of the guidelines certificate.

For Petitioner : Mr.Y.Jyothish Chander

For Respondents : Mr.Jayesh B Dolia

ORDER

This Petition is filed challenging the orders dated 10.03.2023 passed in I.A.No.4 of 2023 in O.P.No.61 of 2021 on the file of the District and Sessions Court-II, Kanchipuram, wherein though the learned Judge is inclined to take certain documents on record has refused to accept the documents in respect of guideline value of the property, in respect of proceedings initiated under Section 10 of Indian Telegraph Act.

2. During the course of submissions, the learned senior counsel appearing for the respondent has brought to the notice of this Court that the guideline value sought to be filed, is the value of the properties pertaining to the year when notification under Section 10 of the Indian Telegraph Act was issued. The guideline value will be relevant while fixing the compensation.



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Therefore, the Trial Court is directed to receive and take into consideration, the guideline value pertaining to the year in which notification under Section 10 of the Indian Telegraph Act was issued. Accordingly, fix the compensation basing on said value on the basis of other documents filed by the both parties. In case, if the guideline value pertaining to the year, in which Section 10 notification has been issued is not before the Court, either the petitioner or the respondent is permitted to file the same and in that case, the Trial Court is directed to accept it and proceed further.

3. With the above direction, this Civil Revision Petition is disposed of. Not costs. Consequently, connected miscellaneous petition is closed.

21.06.2023

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Note: Issue order copy on 07.07.2023

Index:Yes/No

Speaking Order: Yes/No



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Dr.D. NAGARJUN, J.
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To

1. The District and Sessions Court-II,
Kanchipuram.
2. The Power Grid Corporation of India Ltd.,
(A Government of India Enterprise)
Rep., by its Managing Director,
B-9, Qutab Institutional Area,
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