



W.P.No.20195 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.07.2023

CORAM

MR.JUSTICE N.SESHASAYEE

W.P.No.20195 of 2023

S.Govindan

... Petitioner

Vs.

1.The District Collector,
Namakkal District.

2.The Superintending Engineer,
Public Construction Circle,
TANTRANSCO (TNEB),
Udayapaatti,
Salem-636 014.

3.The Executive Engineer,
Transmission Line Construction,
TANTRANSCO (TNEB),
Udayapaatti,
Salem-636 014.

4.The Asst. Engineer,
Transmission Line Construction,
TANTRANSCO (TNEB),
Udayapaatti,
Salem-636 014.

... Respondents



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PRAYER: The writ petition filed under Article 226 of the Constitution of India, to issue a writ of Mandamus, directing the respondents to determine and to pay the amount of compensation at 100% of the market value for the petitioner's land measuring an extent of 125 sq.mtrs for tower base area in respect of Tower Nos.37 and 39 - between 4 legs of tower line and at 15% of the market value for the petitioner's land measuring an extent of 5654 sq.mtrs for right of way pertaining to H.T transmission line laid out through his land comprised in Survey No.331/2B, situated in Veesanam Village and in T.S.No.27, 28 and 29/1, Ward - B, Block-2, in Namakkal Town, Namakkal Taluk and District for erecting 110 KV H.T Tower Line from Senthamangalam to Namakkal Railway Station S.S. as per the G.O Ms.No.86 issued by Energy (A1) Department dated 30.10.2019 based on the representation of the petitioner dated 15.03.2023 sent to the respondents.

For Petitioner : M/s.S.Senthil

For Respondents : Mr.M.Bindran
Additional Government Pleader
for R1

Mr.D.R.Arunkumar
for R2 to R4



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ORDER

By consent, this writ petition is taken up for final disposal at the admission stage itself.

2.Mr.M.Bindran, the learned Additional Government Pleader takes notice for the 1st respondent, and Mr.D.R.Arunkumar, the learned counsel takes notice for respondents 2 to 4.

3.Owing to installation of a high tension tower in the property of the petitioner, he is alleged to have suffered damages to his crops and also to his land.

4.Learned counsel for the petitioner submitted that he has been awarded a sum of Rs.1,66,709/- towards damages to his crops, but compensation for the damages caused to his land has not been fixed yet. Hence, he seeks a direction to the 1st respondent to assess damages under Section 10 (d) of the Indian Telegraph Act, 1885.



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5.The 1st respondent is now required to take a decision on the compensation payable for the land of the petitioner, wherein a high tension tower is installed, and dispose off the matter as per law within a period of twelve (12) weeks from today.

6.This writ petition is accordingly disposed of. No Costs.

10.07.2023

Anu

Index : Yes / No

Neutral citation : yes/no

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