



W.P.No.23826 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.08.2023

CORAM: JUSTICE N.SESHASAYEE

WP.No.23826 of 2023

- 1.N. Thangaraj
- 2.Thamizhagan
- 3.Raman
- 4.Parvathi
- 5.Venkatachalam

...Petitioners

-Vs-

1. The Chief Manager,
Power Grid Corporation of India,
K.R. Thoppur, Salem.
2. Power Grid NM Transmission Ltd.,
Rep. By its Manager,
Konakapadi Post,
K.R. Thoppur, Salem – 636 502.
3. The Chairman,
Tamilnadu Electricity Board (TANGEDCO),
Anna Salai, Chennai – 600 002.
4. The District Collector,
Office of the Collectorate,
Salem District, Salem.
5. The Superintending Engineer,
Tamilnadu Electricity Board (TANGEDCO),
Udayapatti, Salem,
Salem District.

...Respondents



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Prayer: Writ Petition is filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, to call for the records relating to order passed by the 4th respondent in Na.Ka.No.11423/2016/B2 dated 06.02.2023 quash the same and consequently direct the respondents to pay compensation with statutory interest to the petitioners for right of way due to erection of Electricity Transmission Line in their land, in the light of order passed by this Hon'ble Court in W.A.No.325 of 2021 dated 04.08.2021 and guide lines issued by the Government of India, by order dated 15.10.2015.

For Petitioners : Mr. M. Elango

For Respondents : Mr.AR.L. Sundaresan,
Additional Solicitor General,
Assisted by
Aiyar and Dolia for R1 and R2.

Mr. D.R. Arunkumar
Standing Counsel for R3 and R5.

M. Bindran,
Addl Government Pleader - R4

ORDER

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

2.The petitioners herein seek compensation for affecting their right of aid



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due to use of the land by the 2nd respondent, who run the transmission lines over the property. They have approached the District Collector under Section 10 of the Telegraph Act, 1885 and that was negatived.

3.Mr.AR.L.Sundaresan, the learned Additional Solicitor General appeared for the respondents 1 and 2. Mr.D.R.Arunkumar, the learned standing counsel has taken notice for TNEB, the respondents 3 and 5. Mr.M.Bindran, the learned Additional Government Pleader has taken notice for the 4th respondent.

4.Heard the learned counsel for the petitioners and the Additional Solicitor General for the respondents 1 and 2.

5.Learned Additional Solicitor General submitted that as per G.O.Ms.No.63, Electricity Department, dated 22.11.2017, the Collector has jurisdiction to decide the issue only after the said notification and hence the petitioners may have to approach the concerned District Court.



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N.SESHASAYEE, J.

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6.This Court now directs the petitioner to approach the Principal District Court, Salem under Section 16 of the Telegraph Act, 1885 for the appropriate remedies.

7.This writ petition stands disposed of accordingly. No costs.

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