



W.P.(MD) No.3793 of 2020

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.06.2023

CORAM

THE HONOURABLE Ms.JUSTICE P.T.ASHA

**W.P.(MD) No.3793 of 2020
and
W.M.P.(MD) No.3203 of 2020**

Bhoominathan

... Petitioner

/vs./

- 1.The District Collector,
Sivagangai District,
Sivagangai.
- 2.The Superintending Engineer,
Podhu Nirmana Vattam (Public Construction Circle),
Race Course Road,
K.Pudur, Madurai 625 007.
- 3.The Executive Engineer,
Transmission Line Construction,
TANTRANSCO/TNEB,
Virudhunagar.
- 4.The Assistant Engineer,
Transmission Line Construction,
TANTRANSCO/TNEB,
Virudhunagar.



W.P.(MD) No.3793 of 2020

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5.Shanmugam

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents No.1 to 4 to appoint experts to ascertain the proper location (Centre Point) for each Transmission Tower or Pole to be fixed in and around petitioner's land bearing Survey Nos.7/5 and 7/16 of Parathikanmai village Group, Kalayarkovil Taluk, Sivagangai District thereafter erect the said Transmission Tower or Pole on the above mentioned petitioner's lands.

For Petitioner	: Mr.V.R.G.Mohan
For R1	: Mr.A.Sivanupandian Government Advocate
For R2 to R4	: Mr.S.Deenadhayalan Standing Counsel
For R5	: Mr.M.Vivekanaden

ORDER

The above writ petition is filed for the issue of a Writ of Mandamus directing the respondents 1 to 4 to appoint experts to ascertain the proper location (Centre Point) for each transmission tower or pole to be fixed in and around petitioner's land bearing S.Nos.7/5 and 7/16 at Parathikanmai village Group, Kalayarkovil Taluk, Sivagangai District and thereafter erect the said transmission tower or pole on the above mentioned lands.

2/5



W.P.(MD) No.3793 of 2020

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2.The petitioner is aggrieved by the fact that the transmission pole, which was originally proposed to be erected between the lands of the petitioner and the fifth respondent was moved more into the petitioner's land.

3.It is informed that the line has been laid in 2020 and what remains is only the commissioning of the electric supply. Pursuant to the order of this Court dated 05.06.2023, the respondents 1 to 4 were directed to produce the working sheet pertaining to the erection and also the sketch showing the route map of the transmission lines.

4.The sketch signed on 11.09.2018 has been produced showing the route, through which 110 KV SC line between Kalayarkovil and Maravamangalam was to be laid. The profile and route map have also been prepared as early as in the month of May, 2018. It is informed by the respondents 2 to 4 that the erection has taken place only in keeping with this route map. However, it is admitted that 287 sq.mts., of the petitioner's land has been taken for erecting the high tension tower.



W.P.(MD) No.3793 of 2020

WEB COPY

5.In the light of the above, the Writ Petition is disposed of with liberty to the petitioner to move the respondents 1 to 4 for compensation for the said extent of 287 sq.mts. However, there shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

Speaking : Yes / No
NCC : Yes / No
Internet : Yes / No
Index : Yes / No

20.06.2023

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To

The District Collector,
Sivagangai District,
Sivagangai.



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W.P.(MD) No.3793 of 2020

P.T.ASHA, J.

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W.P.(MD) No.3793 of 2020

20.06.2023