



W.P.(MD)No.6186 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 16.10.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD)No.6186 of 2021

A.Thangavel

... Petitioner

vs.

1.The District Collector,
Karur District, Karur.

2.The Chief Manager,
Power Grid Corporation India Limited,
44/230, KV Sub Station,
K.Paramathi, Karur District.

3.The Tahsildar,
Punjai Pugalur Taluk, Karur District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the 1st respondent to pass final order by enhancing the compensation as requested by the petitioner for erecting high tension tower and electric wire in S.F.Nos. 552, 556, 551, 526/1 and 526/3 at Kuppam (Po), Punjai Pugalur Taluk, Karur District on the basis of the representation of the petitioner dated 16.12.2020, consequently to give necessary direction to the 2nd respondent to deposit the amount of the compensation award in the



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account of the 1st respondent as fixed by the 1st respondent enabling the petitioner to receive the same on protest for further course of action.

For Petitioner :Mr.S.Gokulraj
For R1 and R3 :Mr.A.K.Manikkam
Special Government Pleader

ORDER

This Writ Petition has been filed seeking for issuance of a Writ of Mandamus directing first respondent to act upon the representation made by the petitioner on 16.12.2020, wherein, the petitioner is seeking for enhancement of compensation for erecting high tension tower and drawing wire across the property belonging to the petitioner.

2.Heard Mr.S.Gokulraj, learned Counsel appearing on behalf of the petitioner and Mr.A.K.Manikkam, learned Special Government Pleader appearing on behalf of the respondents 1 and 3.

3.The learned Special Government Pleader appearing on behalf of the respondents 1 and 3 submitted that the third respondent has already recommended to the first respondent fixing the compensation based on



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G.O.(Ms).No.86 dated 30.10.2019. The learned Special Government Pleader further submitted that the District Collector does not have the power to enhance the compensation and if the petitioner is aggrieved by inadequate compensation, the petitioner must go before the concerned District Court and seek enhancement of compensation.

4.In the light of the submissions made by the learned Special Government Pleader, it is seen that the compensation has already been fixed by the District Collector based on the report given by the Tahsildar and if the petitioner is aggrieved by the same, the petitioner must approach the concerned District Court, within whose jurisdiction the property is situated and seek for compensation under Section 16(5) of the Indian Telegraph Act, 1885. The first respondent does not have the power to enhance the compensation once it had already been fixed.

5.In view of the same, the relief sought for by the petitioner cannot be granted by this Court. It is left open to the petitioner to workout his remedy before the District Court.



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6.This Writ Petition is disposed of in the above terms. No costs.

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

16.10.2023

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To

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Karur District, Karur.

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44/230, KV Subscription,
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3.The Tahsildar,
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N.ANAND VENKATESH, J.

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