



Cont.P(MD).No. 604 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.03.2023

CORAM

THE HON'BLE MR.JUSTICE K.KUMARESH BABU

CONT.P(MD)No.604 of 2022

in

W.P(MD) No.18113 of 2015

C.K.Murugan

..... Petitioner/Petitioner

- Vs-

M.Babu

The Assistant Engineer,
Transmission Line Construction,
Tamil Nadu Transmission Corporation,
Dindigul.

... Contemnor/ 3rd Respondent

PRAYER: Contempt Petition is filed under Section 11 of the Contempt of Courts Act, to punish the contemnor / 3rd respondent for him wilful disobedience of the order of this Court in W.P(MD) No.18113 of 2015, dated 26.02.2020.

For Petitioner : Mr.J.Lawrance

For Respondent : Mr.S.Deenadhayalan
Standing Counsel



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ORDER

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This Contempt Petition has been filed complaining violation of the order passed by this Court in W.P(MD) No.18113 of 2015, dated 26.02.2020.

2. This Court by the aforesaid order, considering the claim of the petitioner, had directed the second respondent to inspect the property of the petitioner and submit a report to the third respondent and the third respondent was also directed to disburse the compensation amount without any further adjudication.

3. It is brought to the notice of this Court that the second respondent in W.P(MD) No.18113 of 2015 herein had submitted a report dated 20.10.2020 to the third respondent herein on 16.11.2020. Thereafter, it is brought to the notice by the learned counsel for the respondent that the petitioner was called upon to receive the compensation as calculated by them. The same had been refused to receive by the petitioner. This was explained by the learned counsel for the petitioner, claiming that the report



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of the Tahsildar indicating that only 10 trees have been cut, is not correct and therefore, they have to recalculate the compensation as per the original report filed by the electricity Board. On analyzing the order passed by this Court of which the violation is complained of, it could be seen that the third respondent was directed to disburse the compensation, based upon the report made by the second respondent therein viz. Tahsildar. This Court had also directed the learned Additional Government Pleader who was present before the Court to require the Tahsildar to submit fresh report. The said report is also in line with the report submitted by the Tahsildar to the third respondent. Since the petitioner disputes the amount of compensation calculated by the third respondent, I do not find any contempt that has been committed by the respondent herein. As this Court had directed the respondent herein to disburse the compensation without any further adjudication, the petitioner now seeks for further adjudication of his entitlement of compensation.

4. Therefore, I do not find any merits in the complaint made by the petitioner. But however, considering the fact that the petitioner had not been paid compensation as determined by the respondent herein and the



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petitioner is also disputing the amount of compensation arrived at by the respondent herein, it would be only open to the petitioner to approach the District Court concerned as prescribed under Section 16 (3) of the Indian Telegraph Act, seeking sufficient compensation, since the land of the petitioner has been utilized by the respondent as early as in the year 2014. I propose to fix outer time limit for the petitioner to approach the District Court concerned, claiming appropriate compensation. The petitioner would be at liberty to approach the District Court concerned within a period of three months from the date of receipt of a copy of this order making a claim for appropriate compensation.

5. With the above said liberty granted to the petitioner, this Contempt Petition is closed. There shall be no order as to costs.

01.03.2023

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

The Assistant Engineer,
Transmission Line Construction,
Tamil Nadu Transmission Corporation,
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K.KUMARESH BABU, J.

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