



W.P.(MD) No.10951 of 2023.

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.06.2023

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P.(MD) No.10951 of 2023

D.Shayamala

.. Petitioner

Vs.

1.The Chairman,
Tamil Nadu Electricity General Distribution
Corporation Limited (TANGEDCO)
Chennai.

2.The Chairman,
(Transmission Line Construction)
Tamil Nadu Transmission Corporation
NPKRR Malligai, TNEP Office,
Anna Salai, Chennai.

3.The Superintend Engineer,
(Transmission Line Construction)
Tamil Nadu Transmission Corporation,
TNEB Complex,
Meenachiknayakkenpatti,
Dindigul.

4.The Assistant Engineer,
(Transmission Line Construction)
Tamil Nadu Transmission Corporation
TNEB Complex,



W.P.(MD) No.10951 of 2023.

Meenachiknayakkenpatti,
Dindigul.

5.The District Collector,
District Collector Office,
Dindigul District,
Dindigul.

.. Respondents

Prayer :- Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus directing the respondents herein to pay the balance compensation amount payable to the petitioner for acquiring his landed property in connection with the erection of High Tension Electric Tower Lines comprised in S.No.387/2A and 387/2B of an extent of 95 cents situated at Alagupatti, Dindigul East Taluk, Dindigul District, by considering the petitioner's representation dated 10.01.2023 within the time stipulated by this Court.

For Petitioner	:	Mr.R.Varadharajan
For R1 to R4	:	Mr.SDeenadhayalan Standing Counsel
For R5	:	Mr.J.Ashok Additional Government Pleader

ORDER

This writ petition has been filed in the nature of a mandamus seeking a direction to the respondent particularly, the fourth respondent, to revisit the calculation relating to the compensation paid particularly, with respect to the properties, land in S.Nos.387/2A and 387/2B



W.P.(MD) No.10951 of 2023.

measuring 95 cents which had been acquired by the respondents for High Tension Electric Tower Lines at Alagupatti, Dindigul East Taluk, Dindigul District.

2.The petitioner is seriously aggrieved by the compensation granted. Statistics show that the petitioner had 123 numbers of Naval trees, 5 numbers of Palmyra trees, 6 numbers of Neem trees, 2 numbers of Mango trees and one number of Neem tree. The petitioner states that proper compensation had not been paid. The records show that the compensation was paid to yet another individual whose land was also acquired.

3.This is an issue of fact. It has to be examined by the respondents. This Court can never give either the value about any one of the trees or about the age of the trees. They are based on the records. A direction is given to the fourth respondent to re-examine the records, which were noted down at the time of acquisition of the lands, more specifically the records relative to the trees which were available and then, if required



W.P.(MD) No.10951 of 2023.

determine the appropriate compensation. The petitioner may also be issued with notice and afforded an opportunity to be heard. The entire exercise shall be completed within a period of twelve weeks from the date of receipt of a copy of this order. This order does not imply that the compensation should be enhanced. Let clarification to be given to the petitioner about the actual compensation and the reasons for the same. If the compensation is enhanced, necessary orders shall be passed by the fourth respondent.

4. With the above direction, this Writ Petition stands disposed of.

No costs.

13.06.2023

NCC : Yes/No

Index : Yes/No

Internet : Yes



WEB COPY



W.P.(MD) No.10951 of 2023.

To

- 1.The Chairman,
Tamil Nadu Electricity General Distribution
Corporation Limited (TANGEDCO)
Chennai.
- 2.The Chairman,
(Transmission Line Construction)
Tamil Nadu Transmission Corporation
NPKRR Malligai, TNEP Office,
Anna Salai, Chennai.
- 3.The Superintend Engineer,
(Transmission Line Construction)
Tamil Nadu Transmission Corporation,
TNEB Complex,
Meenachiknayakanpatti,
Dindigul.
- 4.The Assistant Engineer,
(Transmission Line Construction)
Tamil Nadu Transmission Corporation
TNEB Complex,
Meenachiknayakanpatti,
Dindigul.
- 5.The District Collector,
District Collector Office,
Dindigul District,
Dindigul.



WEB COPY



W.P.(MD) No.10951 of 2023.

C.V.KARTHIKEYAN, J.

Ns

W.P.(MD) No.10951 of 2023

Dated: 13.06.2023