



W.P.(MD) No.12730 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.06.2023

CORAM:

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
and
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

W.P.(MD) No.12730 of 2023

and

W.M.P.(MD) No.10734 of 2023

Arulmigu Kalyanasundareshwarar Temple
Avaniapuram, Madurai through its
Executive Officer
Avaniapuram, Madurai District

... Petitioner

-vs-

1.The Superintending Engineer /
Distribution / Urban
Tamil Nadu Electricity Board /
TANGEDCO
K.Pudur
Madurai-625 007

2.The Executive Engineer
West / Madurai Urban
Tamil Nadu Electricity Board /
TANGEDCO
Madurai



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3.The Assistant Executive Engineer /
Distribution
Tamil Nadu Electricity Board /
TANGEDCO
Anuppanadi
Madurai

4.The Assistant Executive Engineer /
Distribution
Tamil Nadu Electricity Board /
TANGEDCO
Villapuram
Madurai-625 011

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the respondents to remove the encroachments put up them considering the representation of the petitioner dated 16.03.2021 in respect of the property of the petitioner in Madurai, Avaniapuram Village, S.No.134/2, measuring 0.20 cents.

For Petitioner : Mr.S.Manohar

For Respondents : Mr.S.Deenadhayalan
Standing Counsel



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ORDER

[Order of the Court was made by R.SUBRAMANIAN, J.]

The prayer as sought for cannot be granted. Law recognizes the right of the licensee, namely, Tamil Nadu Transmission Corporation Limited (TANTRANSCO) to erect towers for drawing lines to conduct high tension electricity, subject to payment of compensation. The Government has also passed G.O.(Ms) No.86, dated 30.10.2019, providing a mechanism for determination and payment of compensation. Hence, leaving it open to the petitioner to claim compensation as stated above, this writ petition is closed. No costs. Consequently, connected miscellaneous petition is closed.

[R.S.M., J.]

[L.V.G., J.]

01.06.2023

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

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