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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.08.2023

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD)No.14170 of 2020
and
W.M.P.(MD)No.11830 of 2020

P.Pradeep Santhosh Kumar

... Petitioner

vs.

- 1.The Superintending Engineer,
Tamilnadu Electricity Board,
General Construction Circle,
K.Pudur, Race Course Road,
Madurai-625 007.
- 2.The Assistant Executive Engineer,
High Tension Electricity Line
(Construction of Tower)
Tamilnadu Electricity Board,
Muthaiyapuram, Tuticorin District.
- 3.The Assistant Engineer,
Distribution and Maintenance,
Tamilnadu Electricity Board,
Town/Distribution, Srivaikundam,
Tuticorin District.
- 4.The District Collector,
Tuticorin,
Tuticorin District.

... Respondents

(R4 is impleaded vide court order dated 30.08.2023 made in W.M.P.(MD).No. 15782 of 2020 in W.P.(MD).No.14170 of 2020)

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PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, forbearing the respondents from drawing the high tension line towers over petitioner's house property and agricultural land situated in Survey No.241/1A and 241/1B bearing patta No.2266 and 2267 of Alwarkarkulam Village, Srivaikundam Taluk, Tuticorin District having an extent of 0.42.50 hectares by considering the representation of the petitioner dated 28-07-2020 within a time frame that may be fixed by this Court.

For Petitioner	: Mr.S.C.Herold Singh
For R-1 to R-3	: Mr.S.Deenadhayalan, Standing Counsel.
For R-4	: Mr.R.Suresh Kumar, Additional Government Pleader.

ORDER

This writ petition is filed for Mandamus, forbearing the respondents from drawing the High Tension Tower line over the petitioner's house property and agricultural land situated in Survey No.241/1A and 241/1B bearing patta No.2266 and 2267 of Alwarkarkulam Village, Srivaikundam Taluk, Tuticorin District having an extent of 0.42.50 hectares by considering the representation of the petitioner dated 28-07-2020.



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2. The District Collector is the appropriate authority under the Indian Telegraph Act 1885. Therefore, the petitioner is directed to submit an application to the District Collector, the fourth respondent herein, raising objections to erect electricity High Tension Tower. The fourth respondent shall issue notice to the petitioner as well as to the TANGEDCO, conduct personal hearing and thereafter consider the case in accordance to law and pass orders. The said exercise shall be completed within a period of eight (8) weeks from the date of receipt of a copy of this order.

3. With these observations and directions, this Writ Petition is disposed of. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

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

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Tuticorin District.



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S.SRIMATHY, J

Nsr

W.P.(MD)No.14170 of 2020

30.08.2023