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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.09.2023

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THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD)No.18511 of 2020

and

WMP(MD)No. 15475 of 2020

Sarojini

... Petitioner

Vs.

1. The District Collector,
Thanjavur District,
Thiruvarur District.
2. The District Collector,
Thiruvarur District, Thiruvarur.
3. The Superintendent Engineer,
TANGEDCO,
Trichy Central Construction Circle,
Chennai- Theni Highway,
Mannarpuram,
Trichy-620 020.
4. The Executive Engineer,
TANGEDCO, Chief Engineer/TP-II,
Trichy Central Construction Circle,
Chennai-Theni Highways,
Mannarpuram, Trichy-620 020.



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5. The Executive Engineer,
TANGEDCO, Kumbakonam Division,
Kumbakonam,
Thanjavur District.

6. The Assistant Executive Engineer,
TANGEDCO,
Kumbakonam,
Thanjavur District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, forbearing the respondents 3 to 6 from erecting High Tension Tower and Electric Wire line in the petitioner's property in S.F.No.690/2A situated at Inamkiliyur Valangaiman Taluk, Thiruvarur District, consequently direct the 1st and 2nd respondents to consider putting up High Tension Tower and draw overhead electric wire lines with slight deviation through S.F.No.690/2B and 690/2C (Short term crop lands) as provided in through sketch of overhead line map submitted to the respondents by the petitioner on 19.11.2020 during their field inspection conducted by the Revenue Officers and TANGEDCO officials.

For Petitioner : Mr.T.Banumathy

For Respondents : Mr.M.Ramesh,
Government Advocate, for R-1 & R-2

Mr.S.Deenadhayalan,
Standing Counsel, for R-3 & R-6



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ORDER

This writ petition is filed for Writ of Mandamus forbearing the respondents 3 to 6 from erecting the High Tension Tower and electric wire in S.F.No.690/2A based on the petitioner's representation, dated 19.11.2020.

2. Heard Mr.T.Banumathy, the Learned counsel appearing for the Petitioner, Mr.M.Ramesh, the Learned Government Advocate appearing for the respondents 1 & 2, Mr.S.Deenadhayalan, the Learned Standing counsel appearing for the respondents 3 to 6 and perused the material documents available on record.

3. The respondents have erected High Tension Towers for evacuation of power generated from the Generation Units and the said project of erecting High Tension Towers would come under the Scheme. In such circumstances, the respondents are having power under Section 164 of the Electricity Act read with section 10 of the Indian Telegraph Act, 1885. Therefore, it is not incumbent to the respondents to take any prior permission from the land owners. If at all any



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objections are raised then the parties ought to approach the District Collector under section 16 of the Indian Telegraph Act.

4. The learned counsel appearing for the respondents submitted that the petitioner has already awarded compensation to the tune of Rs.4,28,524/-. If the petitioner is aggrieved with the compensation, the petitioner is at liberty to approach the concerned District Collector.

5. With these observations and directions, this writ petition is disposed of. No Costs. Consequently, connected miscellaneous petition is closed.

05.09.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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S.SRIMATHY, J.

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