



WP(MD)No.13392 of 2014

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.03.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.(MD).No.13392 of 2014

K.Sundarapandian

... Petitioner

Vs

1.The Assistant Executive Engineer,
Transmission Line Contruction,
Tamil Nadu Transmission Corporation,
Dindigul.

2.V.Murugesan

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the first respondent to disburse the amount to the petitioner as per their valuation dated 11.06.2014 by considering his representation dated 10.07.2014.



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For Petitioner : Mr.J.Anandkumar
For R1 : Mr.S.Dheenadayalan
Standing Counsel
For R2 : Mr.T.Antony Arulraj

ORDER

This writ petition was filed for a Mandamus, to direct the first respondent to disburse the compensation amount to the petitioner as per their valuation dated 11.06.2014 by considering his representation dated 10.07.2014.

2.The learned counsel appearing for the petitioner submits that the first respondent Board has cut down the trees planted in the petitioner's land in Survey No.281 and 282/2. The second respondent is none other than the brother of the petitioner's father. Since there is a dispute over the title of the subject land between the petitioner and the second respondent, the second respondent objected for granting the compensation to the petitioner.



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3.The learned Standing Counsel appearing for the first respondent submits that the first respondent has calculated the quantum of compensation amount as Rs.4,92,000/- and the same has also been communicated to the petitioner as well as to the second respondent. Since there is a dispute between the petitioner and the second respondent with regard to the title of the property in S.No.281/2, the respondent Board could not pay the compensation amount.

4.This Court considered the rival submissions made and also perused the materials placed on record.

5.If any dispute arises as to the entitlement on the compensation, the petitioner and the second respondent have to work out their remedy before the concerned District Court as provided under Section 16(4) of Indian Telegraph Act. With such liberty to the



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petitioner and the second respondent, this writ petition is closed. No costs.

24.03.2023

NCC : Yes / No.

Index : Yes / No.

Internet : Yes / No.

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To

The Assistant Executive Engineer,
Transmission Line Contruction,
Tamil Nadu Transmission Corporation,
Dindigul.



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B.PUGALENDHI, J.

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Order made in
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