



W.P.(MD)No.2621 of 2014

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :27.02.2023

CORAM

THE HONOURABLE MR.JUSTICE K. KUMARESH BABU

W.P.(MD)No.2621 of 2014

and

M.P.(MD)Nos.1 & 2 of 2014

M.Singathevar @ Perumal (Died)

Muthuraman

... Petitioner

(Petitioner Substituted vide Court order dated 09.12.2022 in W.M.P. (MD).No.20816 of 2022 in W.P.(MD).No.2621 of 2014 by KBJ)

Vs.

- 1.The Government of India
Rep by its Secretary to Government,
Department of Power,
Ministry of Power,
New Delhi.
- 2.The Chairman
Power Grid Corporation of India Ltd.,
B-9, Qutab Institutional Area,
Katwaria Sarai,
Delhi 110016.
- 3.The director,
Power Grid Corporation of India Ltd.,
New No.2, Old No.16, Bharathi Nagar 1st Lane,
North Usman Road, T.Nagar, Chennai 600 017.



W.P.(MD)No.2621 of 2014

WEB COPY

4.The District Collector and District
Executive Magistrate,
Madurai District,
Madurai 625 020

5.The Superintending Engineer,
General Construction Circle,
Tamil Nadu Electricity Board,
K.Pudur, Madurai 625 007.

6.The Superintendent Engineer,
Power Grid Corporation of India Ltd.,
Kinnimangalam,
Tirumangalam Taluk,
Madurai District.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the respondents to remove the Electricity Transmission Tower bearing No. “A 87 D/ A 7 H as well as the High Tension Transmission Line erected on the petitioner's land bearing Survey No.47 (Patta No.1158) in Poosalapuram Village, Peraiyur Taluk, Madurai District within a time limit.

For Petitioners :Mr.R.Venkatesan

For Respondents :Mr.S.Suresh for R1 to R3

:Mrs.D.Farjana Ghoushia
Special Government Pleader for R4

:Mr.S.Deenadhayalan for R5



WEB COPY



W.P.(MD)No.2621 of 2014

ORDER

This writ petition has been filed seeking for a mandamus, to direct the remove the Electricity Transmission Tower bearing No. “A 87 D/ A 7 H as well as the High Tension Transmission Line erected on the petitioner's land bearing Survey No.47 (Patta No.1158) in Poosalapuram Village, Peraiyur Taluk, Madurai District.

2.The case of the petitioner is that the petitioner had not been issued with any notice nor the objection of the petitioner was considered by the relevant authority and therefore, when the lands of the petitioner had been utilized by the respondents, namely the second respondent herein, for erection of high tension towers in the petitioner's land, he should be paid necessary compensation as provided under the enactment. To substantiate his case, he would also reply upon the judgment of this Court in W.P. (MD).No.6528 of 2013 dated 22.02.2023.

3. It is an admitted fact that the petitioner's land have been utilized for laying of transmission towers and for drawing of high tension electrical



W.P.(MD)No.2621 of 2014

WEB COPY

line. When that be the position, the petitioner is entitled for compensation as per the order relied upon by the petitioner passed by this Court.

4. Hence, there shall be a direction to the fourth respondent to consider the claim of the petitioner in consonance with the guidelines issued by the Government of India, Ministry of Power, dated 15.10.2015. The said exercise shall be carried out within a period of six months from the date of receipt of a copy of this order. Needless to mention that the fourth respondent shall provide an opportunity of hearing to the petitioner and all other necessary parties concerned.

5. With the aforesaid directions, this writ petition stands disposed of. There shall be no order as to costs. Consequently connected miscellaneous petitions are closed.

27.02.2023

NCC :Yes/No
Internet :Yes/No
Index : Yes / No
sbm

Page 4 of 6



W.P.(MD)No.2621 of 2014

WEB COPY

To

- 1.The Secretary to Government,
The Government of India,
Department of Power,
Ministry of Power,
New Delhi.
- 2.The Chairman
Power Grid Corporation of India Ltd.,
B-9, Qutab Institutional Area,
Katwaria Sarai,
Delhi 110016.
- 3.The director,
Power Grid Corporation of India Ltd.,
New No.2, Old No.16, Bharathi Nagar 1st Lane,
North Usman Road, T.Nagar, Chennai 600 017.
- 4.The District Collector and District Executive Magistrate,
Madurai District,
Madurai 625 020
- 5.The Superintending Engineer,
General Construction Circle,
Tamil Nadu Electricity Board,
K.Pudur, Madurai 625 007.
- 6.The Superintendent Engineer,
Power Grid Corporation of India Ltd.,
Kinnimangalam,
Tirumangalam Taluk,
Madurai District.

Page 5 of 6



WEB COPY



W.P.(MD)No.2621 of 2014

K.KUMARESH BABU, J.

sbn

W.P.(MD)No.2621 of 2014
and
M.P.(MD)Nos.1 & 2 of 2014

27.02.2023