



WP(MD)No.20432 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **15.11.2023**

CORAM

THE HONOURABLE **MR.JUSTICE N.ANAND VENKATESH**

W.P.(MD)No.20432 of 2021

N.K.M.Nallasamy

...Petitioner

/Vs./

1.The District Collector,
Karur District,
Thanthonimalai,
Karur.

2.The Chief Manager,
Power Grid Corporation,
K.Paramathi,
Karur.

3.The Revenue Divisional Officer,
Karur, Karur District.

...Respondents

PRAYER:- Petition - filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents to consider petitioner's representations dated 19.08.2019, 06.02.2021, 26.05.2021 and 09.08.2021 and provide suitable adequate compensation to the petitioner's well situated in Survey Nos.22/C2H, 22/C2I, 32/C1 and 32/C2, Kadampankurichi Village, Manmagalam Taluk, Karur District.



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For Petitioner : Mr.V.Sukumar

For Respondents : Ms.D.Farjana Ghoushia (R1 & R3)

Special Government Pleader

Mr.Suresh (R2)

ORDER

This writ petition has been filed for issuance of writ of mandamus directing the respondents to consider representations made by the petitioner, wherein the petitioner is seeking for payment of compensation for the well situated in the subject property.

2. The case of the petitioner is that the second respondent had laid high tension power grid line across the property belonging to the petitioner. The petitioner sought for compensation and whereas the first respondent had provided for compensation without including the well. In view of the same, representations were made by the petitioner and since the same did not evoke any response, the present writ petition has been filed before this Court.

3. The third respondent has filed a counter affidavit in this case. The stand taken by the third respondent is that there was no damage caused to the well belonging to the petitioner and therefore, the petitioner is not entitled for



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any damages as per the guidelines issued by the Ministry of Power, Government of India.

4. Heard Mr.V.Sukumar, learned counsel for the petitioner, Ms.D.Farjana Ghoushia, learned Special Government Pleader for the respondents 1 and 3 and Mr.Suresh, learned counsel for the third respondent.

5. In the considered view of this Court, if the petitioner is not entitled for any payment of compensation for the well, the first respondent has to convey the same to the petitioner, so that the petitioner can work out his remedy before the concerned District Court having jurisdiction over the property. This is the scheme that is provided under Section 16 of the Indian Telegraph Act, 1885.

6. In view of the same, there shall be a direction to the first respondent to convey the decision to the petitioner within a period of four weeks from the date of receipt of a copy of this order. If the petitioner is not satisfied with the decision taken by the first respondent, it is left open to the petitioner to work out his remedy in the manner known to law.



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7. This writ petition is disposed of. No costs.

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NCC : Yes/No
Internet :Yes/No
Index :Yes/No
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To,

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N.ANAND VENKATESH, J.

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Order made in
W.P.(MD)No.20432 of 2021

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