



W.P(MD)No.15150 of 2015

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.09.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.15150 of 2015

and

M.P.(MD)No.1 of 2015

C.Retnamony

... Petitioner

Vs.

- 1.The Junior Engineer,
Tamil Nadu Electricity Board,
Puthukadai Division,
Puthukadai,
Kanyakumari District.
- 2.The Assistant Divisional Engineer,
Tamil Nadu Electricity Board,
Puthukadai Division,
Puthukadai,
Kanyakumari District.
- 3.The Divisional Engineer,
Tamil Nadu Electricity Board,
Maruthancode & Post.
Kanyakumari District.
- 4.The Superintendant Engineer,
Tamil Nadu Electricity Board,
Paravathipuram,
Nagercoil,
Kanyakumari District.



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5.The President,
Panikulam Panchayat,
Kanyakumari District.

6.The Block Development Officer,
Puthukadai Panchayat Union,
Puthukadai Post,
Kanyakumari District.

7.Assistance Director of Panchayats,
Kanyakumari District, Nagercoil.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondent to remove the electric post in petitioners (Re.Rsy.No. 382/14 in painkulam Village) laid by the respondents without Petitioners permission.

For Petitioner : Mr.S.Ramakrishnan

For Respondents : Mr.S.Deenadhayalan for R1 to R4
: Mr.G.Muthukannan for R5 & R6
: no appearance for R7

ORDER

Heard both sides.

2. The respondents had laid electricity pole on the petitioner's patta land.

The petitioner's consent has not been taken. Therefore, the respondents have to pay compensation.



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3. This shall be determined by the District Collector, Kanyakumari as per law and conveyed to the petitioner. This exercise shall be completed within a period of ten weeks from the date of receipt of a copy of this order. The petitioner can accept compensation determined by the District Collector and if the petitioner wants enhancement, the petitioner can always approach the jurisdictional civil Court under the provisions of the Telegraph Act.

4. With this direction to the respondents and liberty to the petitioner, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

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Index : Yes / No
Internet : Yes/ No
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G.R.SWAMINATHAN, J.

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