



W.P.(MD)No.6695 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 09.06.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.6695 of 2017

R.Kumar

... Petitioner

versus

1. The District Collector,
Kanyakumari District,
at Nagercoil.
2. The Superintending Engineer,
Tamil Nadu Generation and
Distribution Corporation Ltd.,
Kanyakumari District.
3. The Asst. Executive Engineer,
High Tension Electricity Lines,
(Construction of Towers),
Tamil Nadu Generation and
Distribution Corporation Ltd.,
Parvathipuram, Nagercoil,
Kanyakumari District.
4. The Asst. Executive Engineer,
Distribution and Maintenance,
Tamil Nadu Generation and
Distribution Corporation Ltd.,
Suraicode Post, Kanyakumari District.

... Respondents



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Writ Petition filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Mandamus, to direct the respondents to award compensation for the land comprised in R.S.No. 358/1A1, Medukummal Desom, Medukummal Village, Vilavancode Taluk, Kanyakumari District, admeasuring 14 cents being utilised for the erection of 110 KV High Tension Power Lines for Nadakavu New Power Sub Station, over and above the petitioner's property.

For Petitioner : Mr.C.K.M.Appaji
For R1 : Mr.P.T.Thiraviam,
Government Advocate
For Rw to R4 : Mr.S.Deenadhayalan,
Standing Counsel for TNEB

ORDER

The grievance of the petitioner is that the compensation, which has been awarded by the Telecom authority, is not adequate and it has to be enhanced.

2. The learned Government Advocate, by relying on the provisions under Section 16(3) of the Indian Telegraph Act, submits that there is a provision available under the said Act for filling an



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appeal as against the order of the District Collector before the District Court concerned.

3. In view of the provision under Section 16 (3) of the Indian Telegraph Act, this writ petition is dismissed by granting liberty to the petitioner to workout his remedy by filing a statutory appeal before the concerned District Court. If such an appeal is preferred, the District Court shall exclude the period of litigation spent in the writ petition while calculating the limitation period. No costs.

09.06.2023

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NCC : Yes / No.

Index : Yes / No.

Internet : Yes / No.

To

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B.PUGALENDHI, J.

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