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W.P.No.2188 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.06.2024

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THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No. 2188 of 2021

S.Mohanraj

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Petitioner

Vs

1. The Secretary (CEA),
Central Electricity Authority Seva Bhavan,
R.K.Puram, Sector – 1,
New Delhi – 110 066.

2. The Chair Person-cum-Managing Director,
Power Grid Corporation of India Ltd.,
(Corporate Office),
Saudamini Plot No.2, Sector – 29
Near IFFCO Chowk,
Gurgaon, Haryana – 122 001.

3. The District Collector,
Salem District,
Collectorate,
Salem – 636 001.

4. The General Manager,
Power Grid Corporation of India Ltd.,
Sangagiri TLC,
No.3/3/27-B, Bharathi Nagar,
Salem Main Road,
Sankagiri,
Salem District.

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Respondents



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Prayer:- Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Mandamus, directing the respondents to consider the representation dated 13.12.2019 of the petitioner with regard to additional compensation of some trees and land market values and assess with relevant factors the quantum of actual compensation instead of diminution for cutting valuable trees and damaged for crops caused by the drawing of electricity line, totally yet to be paid Rs.11,65,329/- (Rupees Eleven Lakhs and Sixty Five Thousand Three Hundred and Twenty Nine only) with interest @ 12% per annum from the date of cutting of the trees till realization.

For Petitioner	: Mr.G.Punniakoti
For R1 & R3	: Mr.P.Muthukumar Additional Advocate General Assisted by Mr.T.Venkatesh Kumar Special Government Pleader
For R2 & R4	: Mr.T.Karthi for M/s.Aiyar & Dolia

ORDER

This Writ Petition has been filed for a direction directing the respondents to consider the representation submitted by the petitioner dated 13.12.2019 seeking enhancement of compensation for the trees, which were cut down and damaged, while drawing the electricity line.

2. Heard the learned counsel appearing on either side and perused the materials available on record.



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3. It is seen that if the petitioner is aggrieved by the compensation awarded by the respondents, the petitioner ought to have approached the District Court for enhancement of compensation under Section 16(3) of Indian Telegraph Act, 1885. Therefore, the prayer sought for in this writ petition cannot be considered and the writ petition is devoid of merits and is liable to be dismissed.

4. Accordingly, this writ petition stands dismissed. No costs.

12.06.2024

Internet : Yes

Index : Yes/No

Neutral Citation : Yes/No

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To

1. The Secretary (CEA),
Central Electricity Authority Seva Bhavan,
R.K.Puram, Sector – 1,
New Delhi – 110 066.

2. The District Collector,
Salem District,
Collectorate,
Salem – 636 001.



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G.K.ILANTHIRAIYAN, J.

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