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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 02.01.2024

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THE HONOURABLE **DR. JUSTICE ANITA SUMANTH**

W.P.No.18278 of 2022

1. G.Nethaji
2. G.Saroja
3. G.Umashankar

.... Petitioners

Vs

- 1.Power Grid Corporation India Ltd.,
Southern Region Transmission System – II,
No.185, TNHB Phase – II,
Dharmapuri Main Road,
Thirupathur – 635 601.
- 2.Power Grid Corporation India Ltd.,
rep. herein by its Chairman & Managing director,
No.B9, Qutub Institutional Area,
Katwaria Sarai, New Delhi – 110 016.
3. The Collector,
Vellore District,
Office of the Collectorate,
Vellore.
4. The Senior Deputy General Manager,
Power Grid Corporation India Ltd.,
Southern Region Transmission System – II,
No.185, TNHB Phase – II,



Dharmapuri Main Road,
Thirupathur – 635 601.

(R4 impleaded suo motu vide this order)

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.... Respondents

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing respondents 1 and 2 to grant compensation for the trees acquired from the petitioners within a strict time frame fixed by this Court.

For Petitioners : Mr.T.S.Vijaya Raghavan

For Respondents : Mr.Jayesh B. Dolia

Senior Counsel

for M/s.Aiyar & Dolia – R1 and R2

Mr.Vadivelu Deenadayalan

Additional Government Pleader

ORDER

The petitioners claim to be owners of lands admeasuring 36 cents in S.No.55/2B1, 38.5 cents in S.No.58/2A2 and 32 cents in S.Nos.53/1A and 53/1B in Thattimanapalli Village, Gudiyatham Taluk, Vellore District. They seek a mandamus directing R1 and R2, being officials of the Power Grid Corporation of India Ltd. to pay compensation for the trees acquired from them.

2. A counter has been filed in the matter. The dispute appears to involve appreciation of several facts, since, while the petitioner would claim



compensation in respect of the trees, both cut as well as standing, the latter on the ground that their growth will be affected, the respondents have taken a stand that no compensation is payable in respect of the standing trees. The respondents would assert that due compensation has been paid in respect of those trees that have been cut.

3. The Court merely captures the narration in this regard and has nothing further to say in respect of the rival contentions, seeing as they are disputed questions of fact. Fortunately, the petitioner has made a representation before the authorities on 15.03.2018 with reminders thereafter seeking the same relief as prayed for in this Writ Petition.

4. Mr.Jayesh Dolia, learned Senior Counsel appearing for the learned Standing Counsel for the contesting respondents, i.e., the Power Grid Corporation of India Ltd. would accede to the receipt of representations and to the pendency of the same despite the elapse of more than 5 years.

5. Since the respondents would state that the appropriate authority to consider and dispose the representations is the Senior Deputy General Manager, Power Grid Corporation India Ltd., Southern Region Transmission System – II, No.185, TNHB Phase – II, Dharmapuri Main Road, Thirupathur – 635 601, he is impleaded suo motu as R4 in this Writ Petition.



6. In light of the above, there is a direction to R4 to hear the petitioner and pass orders on the representation. For this purpose, the petitioner shall appear before R4 on 11.01.2024 at 10.30. a.m. without awaiting any further notice in this regard accompanied by a copy of this order as well a copy of the representation and the reminders filed. Upon hearing the petitioner as well as any others who may be deemed necessary and considering the materials, if any, placed, a speaking order shall be passed by R4 in accordance with law, within a period of four (4) weeks from 11.01.2024.

7. This Writ Petition is disposed as above. No costs.

02.01.2024

Index : Yes/No

Speaking Order: Yes

Neutral Citation: Yes

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Note: Registry is directed to carry out necessary amendments in the cause title.

To

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DR.ANITA SUMANTH, J.

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