



W.P.(MD) No.3070 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.02.2024

CORAM:

**THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR
and
THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR**

**W.P.(MD) No.3070 of 2024
and W.M.P.(MD) No.3049 of 2024**

Keelathenkalam Village,
Represented by its,
President,
Muthu, (M, 49/23),
S/o.Gomathi Sanmugam,
No.1/19, Otha Veedu,
Keelathenkalam,
Sankar Nagar,
Thallaiyuthu,
Tirunelveli District.

... Petitioner

-VS-

- 1.The District Collector,
Office of the District Collector,
Tirunelveli District.
- 2.The Superintendent of Police,
Office of the Superintendent of Police,
Tirunelveli District.
- 3.The Superintending Engineer,
Tamil Nadu Generation and Distribution Corporation,



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- Tirunelveli District.
- 4.The Block Development Officer,
Office of the Block Development Officer,
Manur Panchayat Union,
Tirunelveli District.
- 5.The President,
Thalaiyuthu Village Panchayat,
Tirunelveli District.
- 6.The President,
Thenkalam Village Panchayat,
Tirunelveli District.
- 7.The Joint Chief Environmental Engineer,
Tamil Nadu Pollution Control Board,
SIDCO Industrial Estate,
Tirunelveli District.
- 8.M/s.Bharathi Mahesh Enterprises,
Bharathi Mahesh Energy Private Limited,
Main Road, Mudavankulam,
Kasthurirangapuram,
Disiyanvilai,
Kanyakumari District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, to forbear the respondent Nos.1 to 7 from granting permission for 8th respondent to set up private Solar Power Plant in Keelathenkalam Village, Manur Taluk in Tirunelveli District.

For Petitioner : Mr.I.Sabeer Mohammed



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For Respondents : Mr.P.Thilakkumar
Government Pleader for R1

Mr.R.Meenakshi Sundaram
Additional Public Prosecutor for R2

Mr.S.Deenathayalan,
Standing Counsel for R3

Ms.Vijayakumari Natarajan,
Standing Counsel for R7

ORDER

[Order of the Court was made by D.KRISHNAKUMAR, J.]

The prayer in this Writ Petition is to forbear the respondent Nos.1 to 7 from granting permission for the 8th respondent to set up private Solar Power Plant in Keelathenkalam Village, Manur Taluk in Tirunelveli District.

2. According to the petitioner, the 8th respondent is taking steps to set up private solar power plant in the midst of the agricultural land. Hence, the villagers have sent a detailed representation to the official respondents not to grant any permission for solar power plant in the village. Since the said representation has not been considered, the petitioner has filed the present Writ Petition.



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3. According to the learned Standing Counsel for the third respondent, no such proposal has been received to set up private Solar Power Plant in Keelathenkalam Village, Manur Taluk in Tirunelveli District and only out of apprehension this Writ Petition has been filed. The said submission is recorded.

4. Without ascertaining the said facts with the authorities concerned, the petitioner has straightaway filed the present Writ Petition. Therefore, we find no bonafide reason to entertain the Writ Petition and there is no merit in the Writ Petition. Hence, this Writ Petition stands dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

[D.K.K., J.] [R.V., J.]
13.02.2024

Index : Yes / No
Internet : Yes / No
SJ

To

1. The District Collector,
Office of the District Collector,
Tirunelveli District.



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2.The Superintendent of Police,
Office of the Superintendent of Police,
Tirunelveli District.



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D.KRISHNAKUMAR, J.
and
R.VIJAYAKUMAR, J.

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