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W.P.(MD)NO.5013 OF 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.03.2024

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.5013 of 2024 AND

W.M.P.(MD)No.4799 of 2024

N.Nattuthurai

... Petitioner

Vs.

1. The District Collector,
Dindigul District, Dindigul.
2. The Block Development Officer,
Thoppampatti Union,
Ottanchathiram Taluk,
Dindigul District.
3. The President,
Appiyampatti Panchayat,
Ottanchathiram Taluk,
Dindigul District.
4. The Inspector of Police,
Kallimanthayam police station,
Ottanchathiram Taluk,
Dindigul District.
5. M/s.JSW Renew Energy Ltd.,
No.33, Roja Nagar,
Noob Colony, Near SBI,
Tirunelveli.
6. The Assistant Executive Engineer,
TNEB, North Kallimanthayam,
Ottanchathiram Taluk,
Dindigul District.

... Respondents



Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st and 2nd respondents to prevent the 6th respondent's illegal erection of High Voltage Electric Poles in Survey No.405, Appiyampatti Village, Ottanchathiram Taluk, Dindigul District based on the petitioner's representation dated 19.02.2024 within the period stipulated by this Court.

For Petitioner : Mr.T.Ramasamy

For R-1 to R-3 : Mr.K.S.Selvaganesan,
Additional Government Pleader.

For R-4 : Mr.A.Albert James,
Government Advocate.

For R-5 : Mr.N.Dilipkumar,
Standing counsel.

For R-6 : Mr.S.Deenadhayalan,
Standing Counsel.

* * *

ORDER

Heard both sides.

2. The petitioner wants this Court to restrain the private respondents from erecting the electric pole in the petition-mentioned survey number.



3. It is clarified that the fifth respondent will be erecting their pole only in a Government poramboke land and not in any patta land belonging to the petitioner. It is seen that permission had already been obtained from the local body vide proceedings dated 17.12.2023. It is stated that the erection of the petition-mentioned pole is a part of larger project and that the works have been substantially completed. I am satisfied that the rights of the petitioner have not been infringed as such. I am not in a position to interfere. This writ petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

01.03.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
PMU

To:

1. The District Collector, Dindigul District, Dindigul.
2. The Block Development Officer,
Thoppampatti Union, Ottanchathiram Taluk, Dindigul District.
3. The President,
Appiyampatti Panchayat, Ottanchathiram Taluk, Dindigul District.
4. The Inspector of Police,
Kallimanthayam police station, Ottanchathiram Taluk,
Dindigul District.



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G.R.SWAMINATHAN,J.

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