



W.P(MD)No.5548 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 08.03.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.5548 of 2024
and
W.M.P(MD)No.5278 of 2024

S.Santhi

... Petitioner

Vs.

1.The District Collector,
O/o.the Collectorate,
Madurai.

2.The Superintendent Engineer,
General Administration Circle,
TANTRASCO,
K.Pudur, Madurai.

3.The Assistant Executive Engineer,
TANTRASCO,
Thirumangalam,
Madurai.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, forbearing the respondents from installing High-Tension (HT) overhead electric



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transmission lines over and above the patta land of the petitioner comprised in S.Nos. 393/3A and 394/4A and at about 12 meters away from the mining area belonging to the petitioner situates at SF No. 393/8 and 395/1(P) Uthhappanaickanur Village, Usilampatti Taluk, Madurai District without paying due compensation as provided under Section 10(d) of the Indian Telegraphic Act, 1985.

For Petitioner : Mr.M.Ajmal Khan
Senior Counsel
for M/s.Ajmal Associates

For Respondents : Mr.V.Nirmal Kumar
Government Advocate for R.1

Mr.S.Deenadhayalan
Standing Counsel for R.2 & R.3

ORDER

Heard the learned Senior Counsel appearing for the writ petitioner, the learned Government Advocate appearing for the first respondent and the learned Standing Counsel appearing for the respondents 2 and 3.

2. The writ petitioner is running a quarry. TANTRASCO is proposing to draw High Tension (HT) overhead electric lines very near the quarry site and above the petitioner's patta lands. The petitioner has



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serious objections. TANTRASCO is likely to face resistance from the petitioner. TANTRASCO should therefore move the first respondent seeking permission under Section 16 read with Section 10 of the Indian Telegraph Act, 1885. The first respondent will issue notice to the petitioner as well as TANTRASCO and after holding enquiry pass order on TANTRASCO's proposed application. Without such clearance from the first respondent, TANTRASCO shall not draw the proposed electric lines on the petitioner's patta land.

3. This writ petition is disposed of accordingly. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

08.03.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
MGA

To

1.The District Collector,
O/o.the Collectorate,
Madurai.

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G.R.SWAMINATHAN, J.

MGA

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