



W.A(MD)No.489 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **11.06.2024**

CORAM :

JUSTICE N.SESHASAYEE  
and  
JUSTICE L.VICTORIA GOWRI

**W.A(MD)No.489 of 2019**  
**and CMP(MD)No.4140 of 2019**

S.Balasubramanian

...Appellant/Petitioner

**Vs.**

1. The District Collector,  
Madurai District, Madurai

2. The Superintending Engineer,  
TANGEDCO,  
K.Pudur, Madurai.

3. The Superintending Engineer,  
General Construction Circle,  
K.Pudur, Madurai.

4. The Assistant Engineer,  
TANGEDCO,  
Vadipatti,  
Madurai District.

..Respondents/Respondents

**PRAYER:** Writ Appeal is filed under Clause 15 of Letter Patent as against the order passed by this Court dated 06.03.2019 in W.P(MD)No. 5238 of 2019.

|               |                                                  |
|---------------|--------------------------------------------------|
| For Appellant | : Mr.K.K.Kannan                                  |
| For R1        | : Mr.Muthuvijayan,<br>Special Government Pleader |
| For R2 to R4  | : Mr.S.Deenadhayalan                             |



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## **J U D G M E N T**

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[Judgment was delivered by **N.SESHASAYEE, J.**]

This appeal is directed against the order of the learned single Judge dismissing the Writ Petition filed by the appellant in which the appellant has sought a direction to restrain the concerned authority from erecting tower to carry high tension cable through his property. The learned counsel submitted that tower has since been erected and hence the matter has become infructuous. He further seeks leave of the Court to approach the District Collector under Section 10 of the Telegraph Act for compensation. He added that he is not pressing this appeal.

2. The appeal is accordingly dismissed as withdrawn. However, leave is granted to the appellant to approach the District Collector under Section 10 of the Telegraph Act for compensation. No costs. Consequently, connected miscellaneous petition is closed.

**(N.S.S., J.) (L.V.G., J.)**  
**11.06.2024**

Index : Yes / No  
Neutral Citation : Yes / No  
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