



W.P(MD)No.5622 of 2017

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.08.2024

CORAM

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P(MD)No.5622 of 2017
and
W.M.P(MD)No.4502 of 2017

V.Jaya Prabu

... Petitioner

Vs.

- 1.The Chief Engineer,
Non conventional Energy Sources (NCES),
Tamil Nadu Electricity Board,
No.144, Anna Salai,
Chennai-600 002.
- 2.The District Collector,
Theni District,
Theni.
- 3.The Executive Engineer,
Non Conventional Energy Sources,
Tamil Nadu Electricity Board,
Chinnamanur,
Uthamapalayam Taluk,
Theni District.
- 4.The Block Development Officer (Village Panchayats),
Chinnamanur Panchayat Union,
Chinnamanur,
Uthamapalayam Taluk,
Theni District.



W.P(MD)No.5622 of 2017

WEB COPY

5. The Special Officer,
Seeppala Kottai Village Panchayat,
Chinnamanur Panchayat Union,
Seeppala Kottai Post,
Uthamapalayam Taluk,
Theni District.

6. The Regan Power Tech Private Limited,
New No.28, College Road,
Chennai-600 006.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents 1 to 5 to take appropriate actions against the sixth respondent for conversion agricultural land for other commercial purpose and consequently, direct the respondents 1 to 5 to remove the illegal wind mill erected by the sixth respondent nearest to the agricultural lands and to pass such further order as this Court.

For Petitioner : Mr.M.Saravanakumar

For R-1 & R-3 : Mr.S.Deenadhayalan
Standing Counsel

For R-2, R-4 &
R-5 : Mr.J.K.Jayaselan
Government Advocate



W.P(MD)No.5622 of 2017

WEB COPY

ORDER

The present writ petition is filed for Mandamus directing the respondents 1 to 5 to take appropriate actions against the sixth respondent for conversion of agricultural land for other commercial purpose and consequently, direct the respondents 1 to 5 to remove the illegal wind mill erected by the sixth respondent near agricultural lands.

2. It is submitted by the learned Counsel for the petitioner that the petitioner's family has agricultural lands in Survey Nos.613/1, 637/3, 5, 6, 8 and 622/3 and 635/1 in Seeppala Kottai Village, Uthamapalayam Taluk, Theni District. The sixth respondent purchased agricultural lands, which is adjacent to that of petitioner's land and without any prior permission from the competent authority, converted the agricultural lands for construction of building and for erection of Wind Mill Tower. In this regard, the petitioner submitted a representation to the respondents on 13.02.2017 to take appropriate actions against the sixth respondent against conversion of agricultural land for commercial purpose and to remove the illegal wind mill erected by the sixth respondent near agricultural lands. Since no action has been taken so far, the present writ petition has been filed.



W.P(MD)No.5622 of 2017

WEB COPY

3. It was submitted by the learned Government Advocate for the official respondent that they will consider the representation, dated 13.02.2017 and pass orders, within a period of six (6) weeks from the date of receipt of a copy of this order, after putting the petitioner and other interested parties / stakeholders on notice.

4. The same was acceded to by the learned Counsel for the petitioner.

5. Recording the same, the writ petition stands closed. There shall be no order as to costs. Consequently, connected Miscellaneous Petition stands closed.

12.08.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes
BTR



W.P(MD)No.5622 of 2017

WEB COPY

- To
- 1.The Chief Engineer,
Non conventional Energy Sources (NCES),
Tamil Nadu Electricity Board,
No.144, Anna Salai,
Chennai-600 002.
 - 2.The District Collector,
Theni District,
Theni.
 - 3.The Executive Engineer,
Non Conventional Energy Sources,
Tamil Nadu Electricity Board,
Chinnamanur,
Uthamapalayam Taluk,
Theni District.
 - 4.The Block Development Officer (Village Panchayats),
Chinnamanur Panchayat Union,
Chinnamanur,
Uthamapalayam Taluk,
Theni District.
 - 5.The Special Officer,
Seppala Kottai Village Panchayat,
Chinnamanur Panchayat Union,
Seppala Kottai Post,
Uthamapalayam Taluk,
Theni District.
 - 6.The Regan Power Tech Private Limited,
New No.28, College Road,
Chennai-600 006.



WEB COPY



W.P(MD)No.5622 of 2017

MOHAMMED SHAFFIQ, J.

BTR

W.P(MD)No.5622 of 2017

12.08.2024