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W.P.(MD) No.13550 of 2016

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.01.2024

CORAM:

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

**W.P.(MD) No.13550 of 2016
and
W.M.P.(MD) No.10110 of 2016**

L.Ravichandran

... Petitioner

-vs-

- 1.The Secretary to Government
Department of Culture & Archaeological
Survey of India, Janpath
New Delhi
- 2.The Director of General & Archaeological
Survey of India, Janpath
New Delhi-110 011
- 3.The Superintendent of Archaeology
Archaeological Survey of India
New Delhi-110 011
- 4.The Secretary to Government
Ministry of Environment & Forest
Secretariat, Chennai-600 009



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- 5.The Superintendent of Archaeology
Archaeological
Chennai Circle
Fort St.George, Chennai-600 009
- 6.The District Collector
Sivagangai
- 7.Tamil Nadu Electricity Generation &
Distribution Corporation Ltd.,
NPKRR Maligai, 144, Anna Salai
Chennai-600 002
- 8.The Superintending Engineer
Transmission Line Construction
Tamil Nadu Electricity Generation &
distribution Corporation Ltd.,
Sivagangai

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the respondents 1 to 5 to declare the S.F.No.87 of Kalanivasal Village, Karikudi Taluk, Sivagangai District, as a place of historical importance as per the provisions of Ancient Monuments and Archaeological Sites and Remains Act, 1958 – (Act 24 of 1958) and in consequence thereof restraining the respondents 7 and 8 from drawing electricity line over and above the temple situated in S.F.No.87 of Kalanivasal Village.



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For Petitioner : Mr.P.Ganapathi Subramanian

For Respondents : Mr.P.Paulpandi
Senior Panel Counsel for R1 to R3
Mr.N.G.A.Natraj
Government Advocate for R4 to R6
Mr.S.Deenadhayalan
Standing Counsel for R7 & R8

ORDER

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

Prayer in this writ petition is to direct the respondents 1 to 5 to declare the land in S.F.No.87 of Kalanivasal Village, Karikudi Taluk, Sivagangai District, as a place of historical importance as per the provisions of Ancient Monuments and Archaeological Sites and Remains Act, 1958 – (Act 24 of 1958) and in consequence thereof restraining the respondents 7 and 8 from drawing electricity line over and above the temple situated in S.F.No.87 of Kalanivasal Village.

2. Learned Standing Counsel appearing for the respondents 7 and 8, on instructions, submits that 400 KV electric tower for drawal of electric line between Karaikudi and Kamudhi has already been erected in the subject



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land and it is in operation from 08.09.2016 onwards and to that effect, he has also produced a copy of the Communication received from the Assistant Engineer, T.L.C. / T.N.E.B., Karaikudi, dated 12.10.2023, before this Court.

3. In view of the above submission and in view of the fact that the relief sought for by the petitioner is to restrain the respondents 7 and 8 from drawing electricity line over and above the subject land, we are not inclined to entertain this writ petition at this length of time.

4. Accordingly, the writ petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

[D.K.K., J.]

[R.V., J.]

23.01.2024

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

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