



W.P.(MD)No.23597 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **03.10.2024**

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.(MD)No.23597 of 2024

I.Arumugachamy

.. Petitioner

Vs.

- 1.The Principal Secretary/Chairman
and Managing Director,
TANGEDCO NPKRR Maaligai,
144, Annasalai, Chennai.
- 2.The District Collector,
District Collector Office Campus,
Virudhunagar District.
- 3.The Superintendent of Police,
Virudhunagar, Virudhunagar District.
- 4.The Revenue Divisional Officer,
Sathur, Virudhunagar District.
- 5.The Superintending Engineer,
General Construction Circle,
Race Course Road,
Madurai.
- 6.The Executive Engineer/Civil,
765, K.V./Electricity Transmission Scheme,



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Virudhunagar, Virudhunagar District.

7.The Superintending Engineer,
Electricity Distribution Circle,
Virudhunagar, Virudhunagar District.

8.The Tahsildar,
Virudhunagar,
Virudhunagar District.

9.The Village Administrative Officer,
Maruloothu Village,
Virudhunagar Taluk,
Virudhunagar District.

... 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 and 5 to 7 to install the tower Nos.8/2, 8/1 and 8/0 as per the prior entry permission order passed by the second respondent in டி.க.ஈ4/18049/2020 dated 11.02.2022 and in accordance with the already sanctioned route map and corridor of the scheme transmission line route and to consequently direct the respondents 1 and 5 to 7 to rectify the deviated contradictory installation of the tower Nos.8/2, 8/1 and 8/0 and to reinstall them in its original approved place.

For Petitioner : Mr.V.Santhakumaresan
For Respondents : Mr.D.Sadiq Raja(for RR2,4,8&9)
Additional Government Pleader
Mr.S.Deenadhayalan (for RR1,5,6&7)
Mr.M.Vaikkam Karunanithi (for R3)
Government Advocate (Crl.side)



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ORDER

This writ petition has been filed seeking for a writ of mandamus directing the respondents 1 and 5 to 7 to install the tower Nos.8/2, 8/1 and 8/0 as per the prior entry permission order passed by the second respondent in ந.க.சீ4/18049/2020 dated 11.02.2022 and in accordance with the already sanctioned route map and corridor of the scheme transmission line route and to consequently direct the respondents 1 and 5 to 7 to rectify the deviated contradictory installation of the tower Nos. 8/2, 8/1 and 8/0 and to reinstall them in its original approved place.

2. Heard both sides. By consent, this writ petition is taken up for final disposal at the admission stage itself.

3. It is the grievance of the petitioner that the respondents 1 and 5 to 7 have installed the electricity tower deviating the order passed by the second respondent in ந.க.சீ4/18049/2020 dated 11.02.2022, which affected the petitioner's land. In this regard, he has given an application under Section 17 of the Indian Telegraph Act, 1885, before the second



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respondent, however no action has been taken so far. Hence, seeks direction.

4. At the outset, the issue involved in this writ petition cannot be decided by this Court. As the petitioner has already given application before the second respondent, who is the competent authority to decide the case of the petitioner, this Court directs the second respondent to consider the application of the petitioner dated 30.08.2024 and pass order on merits and in accordance with law, within a period of one month from the date of receipt of a copy of this order.

5. With the above direction, this Writ Petition is disposed of. No costs.

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Index : Yes / No
NCC : Yes / No
Rmk



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