



W.P.(MD).No.28953 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.12.2024

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.28953 of 2024

R.Avudaithai

... Petitioner

Vs.

- 1.The Principal Secretary / Chairman
and Managing Director,
TANGEDCO, NPKRR Maaligai,
144, Annasalai, Chennai.
- 2.The District Collector,
Collectorate,
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,
Virudhunagar,
Virudhunagar District.



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- 7.The Superintending Engineer,
Electricity Distribution Circle,
Virudhunagar,
Virudhunagar District.
- 8.The Tahsildar,
Virudhunagar Taluk,
Virudhunagar District.
- 9.The Village Administrative Officer,
Pattampudur Village,
Virudhunagar Taluk,
Virudhunagar District.
- 10.The Joint Director,
Horticulture Department,
Collectorate,
Virudhunagar.
- 11.The Joint Director,
Agriculture Department,
Collectorate, Virudhunagar.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the Respondents to install the Tower Nos. 2/3, 2/4 as per the prior entry permission order passed by the 2nd respondent in Na.Ka.C4/18049/2020 dated 11.02.2022 in accordance with already sanctioned route map and corridor of the scheme transmission line route, by rectifying the deviated contradictory installation of the Tower Nos. 2/3, 2/4 and to reinstall them in its original approved place, on the basis of the petitioner's representation dated 28.10.2024.

For Petitioner : Mr.P.Krishnasamy

For R-1, R-5 to R-7 : Mr.S.Deenadhayalan,
Standing counsel



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For R-3 : Mr.K.Gnanasekaran,
Government Advocate,
(Criminal side)

For R-2, R-4, R-10 &
R-11 : Mr.T.Amjad Khan,
Government Advocate

ORDER

By consent of both the parties, this writ petition is taken up for final hearing at the admission stage itself.

2.This Writ petition is filed directing the Respondents to install the Tower Nos. 2/3, 2/4 as per the prior entry permission order passed by the 2nd respondent in Na.Ka.C4/18049/2020 dated 11.02.2022 in accordance with already sanctioned route map and corridor of the scheme transmission line route, by rectifying the deviated contradictory installation of the Tower Nos. 2/3, 2/4 and to reinstall them in its original approved pace, on the basis of the petitioner's representation dated 28.10.2024.

3.Heard the learned counsels on either sides and carefully perused the materials available on record.



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4.It is the grievance of the petitioner that the respondents have installed the electricity tower deviating from the order passed by the 2nd respondent in Na.Ka.C4/18049/2020 dated 11.02.2022, which has affected the petitioner's land. In this regard, he has given a representation dated 28.10.2024.

5.The learned standing counsel appearing for the respondent corporation submitted that the petitioner should give an application under Section 17 of the Indian Telegraph Act, 1885, before the District Collector and only then appropriate action could be taken in this regard.

6.In view of the same, the petitioner is directed to make an application under Section 17 of the Indian Telegraph Act, 1885, to the 2nd respondent forthwith, and the 2nd respondent on receipt of the same shall pass appropriate orders in accordance with law within a period of six (6) weeks therefrom.



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7. Accordingly, this writ petition stands disposed of. No costs.

03.12.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes
Sml

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L.VICTORIA GOWRI, J.

Sml

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