



W.P(MD)No.27940 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.02.2024

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.27940 of 2023

D.D.Shyamala

... Petitioner

Vs

1.The Chairman
Tamilnadu Electricity General Distribution,
Corporation Limited (TANGEDCO),Chennai

2.The Chairman,
Transmission Line Construction,
Tamilnadu Transmission Corporation,
NPKRR Maligai, TNEB Office,
Anna Salai,
Chennai.

3.The Assistant Engineer,
(Transmission Line Construction),
Tamilnadu Transmission Corporation
TNEB Complex,
Meenachiknayakkenpatti,
Dindigul

4.The District Collector,
Office of the District Collector,
Dindigul District

5.The Executive Engineer,
(Transmission Line Construction)
Tamilnadu Transmission Corporation,
TNEB Complex,
Meenakshiknayakkenpatti,Dindigul.



W.P(MD)No.27940 of 2023

6.The Deputy Director,
Department of Horticulture,
Dindigul,
Dindigul District.

7.Assitant Director,
Department of Horticulture,
Reddiyar Chathiram,
Dindigul District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for the impugned order issued by the 5th respondent Ka.N.se.po.Pe.mi.va.ka(thi.ka.il)/ko.765/Aan 713 dated 14.11.2023 and quash the same as illegal and conssequently directing the respondent 3rd and 5th respondent to enhance the compensation payable to the petitioner on the basis of fixation of price by the 7th respondent in similarly placed person lands comprised in S.No.307/3A 1 of Palakkanuthu Village, Dindigul West Taluk, Dindigul District within the time stipulated by this Court.

For Petitioner : Mr.Ananthapadmanaban
Senior Counsel
for Mr.R.Varadharajan

For R1 to R3 & R5: Mr.S.Deenadhayalan
Standing Counsel

For R4,R6 & R7 : Mr.A.Kannan
Additional Government Pleader

ORDER

Heard the learned Senior Counsel appearing for the writ petitioner and the learned Standing Counsel appearing for TANGEDCO.



W.P(MD)No.27940 of 2023

2. The petitioner is owning agricultural lands wherein she had planted a number of fruit bearing trees. The specific stand of the petitioner is that on account of drawing of overhead high tension lines on her land, as many as 130 trees had been cut and removed. The petitioner also had suffered other kind of losses while the authorities of TANGEDCO drawing overhead lines on her land and they are bound to compensate the aggrieved individuals. In this case, the quantum of compensation paid to the petitioner is said to be insufficient.

3. The petitioner is having right to move the jurisdictional Principal District Judge for enhancement of compensation. I am of the view that instead of pursuing the Writ remedy, the petitioner can very well avail statutory remedy. The petitioner is permitted to file such application before the Principal District Judge, Dindigul within a period of three weeks from the date of receipt of copy of this order. On such filing, the same will be entertained and numbered without delay by the Principal District Judge, Dindigul and OP itself will be disposed of on merits and in accordance with law within a period of five months thereafter. TANGEDCO is directed to extend its co-operation for speedy disposal of OP. The Registry is directed to forward a copy of this order to the Principal District Judge, Dindigul.



W.P(MD)No.27940 of 2023

4. With the above directions, this Writ Petition is disposed of. No costs.

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22.02.2024

Index : Yes / No
Internet : Yes/ No
NCC : Yes / No
CM



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7.Assitant Director,

Department of Horticulture,
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8. The Principal District Judge, Dindigul.



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W.P(MD)No.27940 of 2023

G.R.SWAMINATHAN, J.

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W.P(MD)No.27940 of 2023

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