



WEB COPY

WP No. 2177 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-11-2025

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THE HONOURABLE MR JUSTICE M.DHANDAPANI

WP No. 2177 of 2024

AND

WMP No. 2358 of 2024

1. S.P. Spinning Mills Private Limited
Through its Managing Director
P.Kanakarajan, No. 3/233 Cuddalore
Main Road, Karipatti, Salem 636 106

Petitioner(s)

Vs

1. Assistant Engineer-II
Tamil Nadu Transmission Corporation,
Transmission Line Construction,
Tantransco/ TNEB, Salem 636 014

2.The Executive Engineer
The Tamil Nadu Transmission
Corporation, Transmission Line
Construction, Tantransco/ TNEB,
Salem 636 014

3.The District Collector
Salem District

4.The State of Tamil Nadu
Rep. by Prl. Secretary To Govt., Dept.
Of Energy, Secretariat, Chennai 09

5.The Chairman
Tantransco 10th Floor, NPKRP
Maaligai No. 144, Anna Salai,
Chennai-600 02



Respondent(s)

PRAYER: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records of the 2nd respondent in Lr.No.EE/TLC/SLM/DB/F.Minnampalli/D.453/2022 dated 19.05.2022 and quash the same and directing the respondents to pay compensation as per the report of the 3rd respondent to be determined on the guidelines of G.O.Ms.No.86, Energy (A1) Department dated 30.10.2019 and in consonance with the Right to Fair Compensation Act, 2013 for the damages caused to the petitioner's lands on account of erection of Tower and overhead transmission lines passing over the agricultural lands in S.No.214/1 and 214/3 situate at Minnampalli Village, Salem District.

For Petitioner(s): K. Priya

For Respondent(s): Mr.D.R.Arun Kumar Standing
Counsel for R1, R2 & R5
Mr.T.M.Rajangam, Government
Advocate for R3 & R4

ORDER

This writ petition has been filed, challenging the impugned order dated 19.05.2022 and to issue a direction to the respondents to pay compensation as per the report of the 3rd respondent to be determined on the guidelines of G.O.Ms.No.86, Energy (A1) Department dated 30.10.2019 and in consonance with the Right to Fair Compensation Act, 2013 for the damages caused to the petitioner's lands on account of erection of Tower and overhead transmission lines passing over the agricultural lands in S.No.214/1 and 214/3 situate at Minnampalli Village, Salem District.



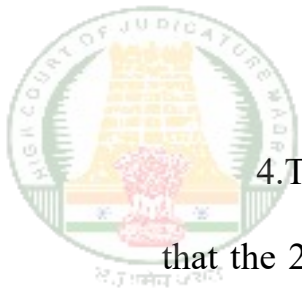
2.The case of the petitioner is that it is a private limited company incorporated in the year 1979, having its Spinning Mill at Karipatti Village and agricultural lands at Minnampalli Village measuring an extent of 22.27 acres. The Spinning Mill is situated on the eastern side of the agricultural lands in S.No.214/1 and 214/3 of Minnampalli Village. The 1st respondent, namely the Assistant Engineer-II, Transmission Line Construction, issued a notice to the petitioner dated 25.11.2017 regarding the erection project of a 110 KV DC line on DC Towers from Panther Conductor for making LILO of the existing 110 KV Salem–Singapuram Feeder-II at the proposed 110 KV Sub-Station at Minnampalli, based on the approved CH. TANGEDCO proceedings No.290, Energy (A1) Department, G.O.(Ms) No.35 dated 24.05.2019. It was informed therein that the petitioner's land in S.No.214/1 and 214/3 was notified for tower erection and for the passing of transmission lines. The petitioner, by communication dated 29.06.2020 addressed to the 3rd respondent, the District Collector, stated that no enquiry had been conducted regarding the damage caused to 60 yielding coconut trees and the loss sustained on account of the erection of the tower and the passing of high-tension KV lines across its property. The petitioner requested fixation of fair compensation for the lands acquired by TANTRANSCO. Though the 3rd respondent, by letter dated 28.07.2020, directed the 2nd respondent to furnish a detailed report, the 2nd



respondent has not furnished any such report till date, nor has a copy been served on the petitioner. In the meantime, the 2nd respondent passed the impugned order dated 19.05.2022 sanctioning a compensation of Rs.4,29,594/-.

Without conducting any enquiry or furnishing any report to the 3rd respondent, the said compensation amount was credited to the petitioner's account, contrary to its claim of Rs.25,15,050/- in respect of 69 felled yielding coconut trees. The 3rd respondent has not initiated any steps till date to determine the appropriate compensation for the land and the felled trees as per the guidelines under G.O.Ms.No.86 and in correlation with the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013. Challenging the same, the present writ petition has been filed.

3.The learned counsel for the petitioner would submit that the 2nd respondent, without any iota of evidence with regard to the yielding coconut trees, they had mechanically passed the impugned order sanctioning a sum of Rs.4,29,594/- which is not sustainable. Hence the petitioner has filed this petition seeking higher compensation. Accordingly, he prayed for appropriate directions.



4. The learned standing counsel for the respondents 1, 2 & 5 would submit that the 2nd respondent appeared before this Court and filed a counter affidavit along with a typed set of papers, wherein paragraph 6(f) and (n) states as follows:

(f) A total of 69 coconut trees, aged between 2 to 5 years, were removed from the petitioner's land for right-of-way clearance required under the 110KV line. As per the rates received from the concerned Agricultural Department, the rate for coconut trees of age between 2 to 5 years has been fixed at Rs.6,226/- per tree. Accordingly, compensation was assessed and an amount of Rs.4,29,594/- was paid to the petitioner for 60 small coconut trees.

(n) The 3rd respondent is the competent authority to pass an order of compensation, and if the petitioner is aggrieved by the order of the 3rd respondent, the appropriate Forum for redressal is the District Court under Section 16(3) of the Telegraph Act. Hence the present writ petition is premature, not maintainable and liable to be dismissed.

5. Heard the learned counsel on either side and perused the records.

6. The facts of the case are not in dispute. It is admitted that the petitioner's land was utilised for the erection of Transmission Towers, and hence



the petitioner is entitled to receive compensation as per G.O.Ms.No.86 dated 30.10.2019. The grievance of the petitioner is that as per the said G.O, the State Government fixed a sum of Rs.36,450/- per tree as compensation value for yielding coconut trees. Whiles, the second respondent fixed a sum of Rs.6,226/- per tree, and 69 trees were destroyed by the 2nd respondent for erecting the towers. However, the 2nd respondent, without any evidence, arrived at the conclusion on its own that the petitioner is entitled to Rs.4,29,594/- only, without mentioning the number of trees destroyed, which amounts to non-application of mind. This Court has no hesitation in arriving at the conclusion that the 2nd respondent has mechanically fixed the compensation for the destruction of 69 trees. There is no application of mind in the impugned order, as even the number of trees destroyed has not been mentioned. The 2nd respondent has simply awarded a compensation of Rs.4,29,594/- without proper reasoning. Such an action on the part of the 2nd respondent is not appreciable and warrants appropriate action by the 5th respondent against the 2nd respondent.

7. In view of the above, the 5th respondent is directed to initiate appropriate proceedings against the 2nd respondent in respect of the impugned order dated 19.05.2022 passed by the 2nd respondent, and to decide the petitioner's entitlement to compensation within a period of six (6) weeks from



the date of receipt of a copy of this order. The 5th respondent is further directed to initiate appropriate action against the officer who passed the impugned order, after affording an opportunity of hearing, and to pass necessary orders.

13-11-2025

Index:Yes/No
Speaking/Non-speaking order
Internet:Yes
Neutral Citation:Yes/No
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To

1.Assistant Engineer-II
Tamil Nadu Transmission Corporation,
Transmission Line Construction,
Tantransco/ TNEB, Salem 636 014

2.The Executive Engineer
The Tamil Nadu Transmission
Corporation, Transmission Line
Construction, Tantransco/ TNEB,
Salem 636 014

3.The District Collector
Salem District

4.The State Of Tamil Nadu
Rep. By Prl. Secretary To Govt., Dept
Of Energy, Secretariat, Chennai 09

5.The Chairman
Tantransco 10th Floor, Npkrp Maaligai
No. 144, Anna Salai Chennai 02



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M.DHANDAPANI J.

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