



W.A.No.2997 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.02.2025

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE MR. JUSTICE K.RAJASEKAR

W.A.No.2997 of 2024

and

C.M.P.Nos.22498 & 22499 of 2024

Jaya Santhi

... Appellant

Vs.

- 1.The Chairman,
Tamil Nadu Generation and Distribution Corporation,
Annasalai, Chennai – 600 002.
- 2.The District Collector,
Thiruvannamalai District,
Thiruvannamalai.
- 3.The Superintending Engineer,
General Construction Circle – I,
No.230/110, Thiru-Vi-Ka Industrial Estate,
Guindy, Chennai – 32.
- 4.The Executive Engineer,
General Construction Circle,
Transmission Line Construction,
Poonamallee, Chennai.



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5. The Assistant Executive Engineer,
Transmission Line Construction,
Tamil Nadu Transmission Corporation Ltd.,
Vengikkal,
Thiruvannamalai – 606 604,
Thiruvannamalai District.

... Respondents

Prayer: Writ Appeal filed under Clause 15 of Letters Patent, pleased to set aside the order dated 08.08.2024 made in W.P.No.22948 of 2024 passed by this Court and allow this writ appeal.

For Appellant : Mr.S.Lakshmipathy

For R1, R3, R4 & R5 : Mr.D.R.Arun Kumar
Standing Counsel
[For TANGEDCO]

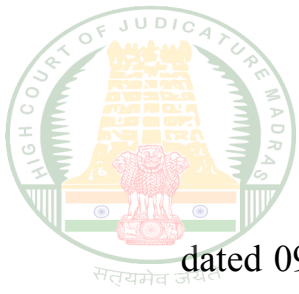
For R2 : No Appearance

J U D G M E N T

[Judgment was delivered by **S.M.SUBRAMANIAM, J.**]

The present Intra Court Appeal has been instituted to assail the order of the Writ Court dated 08.08.2024, passed in W.P.No.22948 of 2024. The petitioner is the appellant before this Court.

2. The writ petition has been instituted challenging the proceedings



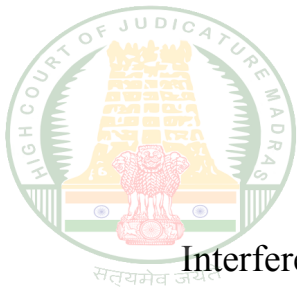
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dated 09.07.2024. The impugned order in the writ petition is relating to Pre-Entrance Permission for the erection of a High Tension Tower at CKICP 0 Malaiyur 110 K.V. Line, Sethupattu Village and Taluk, Tiruvannamalai District. It is a patta land belonging to the appellant.

3. The Learned Single Judge considered the issues and passed an order directing authorities to entertain the request of the appellant's claim petition under Section 16(3) of the Indian Telegraph Act, 1885.

4. The Writ Court do not find any infirmity in respect of the order for erection of High Tension Tower and therefore, the learned Single Judge directed the petitioner to file a claim petition under Section 16(3) of the Indian Telegraph Act, 1885 before the jurisdictional District Judge within a period of two weeks from the date of receipt of a copy of the writ order. In the event of filing any such claim petition, the learned District Judge shall dispose of the same as expeditiously as possible by following due procedures.

5. The erection of High Tension Tower is a scheme formulated by a Committee of Experts, providing essential services to the citizens.



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Interference by the Court would cause prejudice to the interest of public.

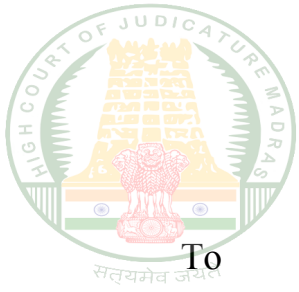
Therefore, the Writ Court declined to interfere with the construction of the High Tension Tower.

6. This Court do not find any infirmity, as far as the right of the land owners are concerned. The Writ Court has directed the land owners to file a claim petition under Section 16(3) of the Indian Telegraph Act, 1885 for grant of compensation by following the due process of law. Therefore, the petitioner is at liberty to approach the jurisdictional District Judge under the Indian Telegraph Act, 1885.

7. With these observations, the impugned writ order stands confirmed and the Writ Appeal is dismissed. Consequently, the connected Miscellaneous Petitions are closed. There shall be no order as to costs.

[S.M.S., J.] [K.R.S., J.]
03.02.2025

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



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To

WEB COPY

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