



W.P.(MD)No.7536 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.03.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.7536 of 2025

Ponmuthu

: 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 Superintending Engineer,
General Construction Circle,
Race Course Road, Madurai.

4. The Executive Engineer / Civil,
765, K.V. Electricity Transmission Scheme,
Virudhunagar,
Virudhunagar District.

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



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6. The Revenue Divisional Officer,
Aruppukottai,
Virudhunagar District.

7. The Superintending Engineer,
Tamil Nadu Transmission Corporation Limited,
Through its M/s. Kalpataru
Projects International Limited,
Chennai.

8. The Superintendent of Police,
Virudhunagar,
Virudhunagar District.

9. The Tahsildar,
Aruppukottai Taluk,
Virudhunagar District.

10. The Village Administrative Officer,
Kullursandhai Village,
Aruppukottai Taluk,
Virudhunagar District.

11. The Joint Director,
Horticulture Department,
Collectorate,
Virudhunagar.

12. The Joint Director,
Agriculture Department,
Collectorate,
Virudhunagar.

: Respondents

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the Respondents to restore the possession of the illegally acquired landed properties to the



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petitioner comprised in Survey Nos.31/1A, 31/9A situated at Kallumarpatti Village, Aruppukottai Taluk, Virudhunagar District and on necessity the said property be acquired for the purpose of the Government of Tamil Nadu Proposed to initiate an Electricity Development Scheme by installing electricity No.765/400/230 capacitated substation to be installed in Kallumarpatti Village, Aruppukottai Taluk, Virudhunagar District, for transmission of the electricity to the Sub Station at Coimbatore by following due process of law after payment of compensation to the petitioned at the prevailing market rate price, based on the petitioner's representation dated 07.11.2024 to the respondents.

For Petitioner : Mr. S.Maya Perumal

For Respondents : Mr.S.Deenadhayalan

for R1,R3 to R5, R7

Mr.K.S.Selvaganesan

Addl. Government Pleader for

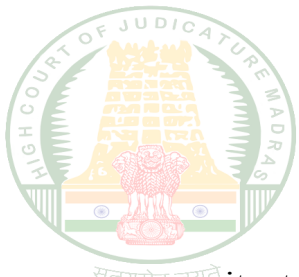
R2, R6, R9 to R12

Mr.K.Gnanasekaran

Government Advocate (Crl. Side) for R8

ORDER

This Writ Petition has been filed seeking a direction to the the respondents to restore the possession of the illegally acquired landed properties to the petitioner comprised in Survey Nos. 31/1A, 31/9A,



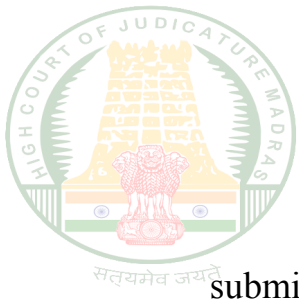
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situated at Kallumarpatti Village, Aruppukottai Taluk, Virudhunagar District and on necessity, the said property be acquired for the purpose of the Government of Tamil Nadu proposed to initiate an Electricity Development Scheme by installing Electricity No.765/400/230 capacitated substation to be installed in Kallumarpatti Village, Aruppukottai Taluk, Virudhunagar District, for transmission of the electricity to the Sub Station at Coimbatore, by following due process of law after payment of compensation to the petitioner at the prevailing market rate price, based on the petitioner's representation dated 07.11.2024 to the respondents.

2. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

3. The petitioner claims to be the owner of 1.30.0 hectares of land in Survey Nos.31/1A, 31/9A, situated at Kallumarpatti Village, Aruppukottai Taluk, Virudhunagar District. The petitioner's grievance is that the respondents have acquired the petitioner's patta land for the purpose of electricity transmission without serving any notice, surveying the land or conducting any enquiry. In this regard, the petitioner



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submitted a representation to the respondents requesting the fixation of the guideline value and the issuance of compensation for the said property. However, since no action has been taken, the petitioner has now filed the present writ petition.

4. Heard the learned counsel for the parties.

5. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon him to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such, non-consideration of the representation by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of the Constitution of India and direct them to consider the same within a stipulated time.

6. In the light of the above observations, there shall be a direction to the second respondent to consider the petitioners' objections dated 07.11.2024, on its own merits and pass appropriate orders in



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accordance with law, after giving due opportunity to the petitioners, as well as all other persons, who may be interested in the subject matter, within a period of four weeks from the date of receipt of a copy of this order. It is also made clear that this Court has not expressed any of its views with regard to the merits of the matter and that it is open to the second respondent to consider the same on its own merits.

7. With the above directions, the Writ Petition stands disposed of. There shall be no order as to costs.

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Index : Yes / No

Internet : Yes / No

PKN

To

1. The Principal Secretary /,
Chairman and Managing Director,
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144, Annasalai,
Chennai.

2. The District Collector,
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