



W.P(MD)No.16384 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.06.2025

CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.16384 of 2025

and

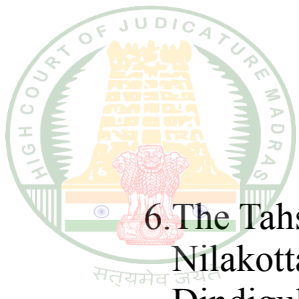
W.M.P(MD)Nos. 12468 and 12469 of 2025

M/S.Sivaraj Spinning Mills Pvt. Ltd.,
represented by its
Electrical Engineer,
Mr.B.Boopathykumaran,
Having registered officer at Door No.207,
Mangalam Road,
Karuvampalayam (PO),
Tirupur-641 604.

... Petitioner

Vs

- 1.The District Collector,
District Collector Office,
Dindigul.
- 2.The Superintend of Police,
Dindigul, Dindigul District.
- 3.The Superintend Engineer,
TANGEDCO, Dindigul.
- 4.The Executive Engineer,
TANGEDCO, Batlagundu,
Dindigul.
- 5.The Assistant Executive Engineer,
TANGEDCO, Batlagundu (West),
Dindigul.



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6.The Tahsildar,
Nilakottai Taluk,
Dindigul.

7.The Inspector of Police,
Batlagundu Police Station,
Dindigul District.

8.Ramkumar

... Respondents

*[R8 is impleaded vide Order dated
30.06.2025 in W.M.P.(MD).No.13488 of 2025]*

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, to call for the records relating to the impugned communications in Na.Ka.No.3291919/2025/A3, dated 07.05.2025 issued by the first respondent and impugned order in Na.Ka.No. 3300/2025/a2, dated 08.05.2025 issued by the sixth respondent and quash the same and consequently, direct the seventh respondent police to give adequate protection for the completion of repair works approved by the fifth respondent in his proceedings dated 19.04.2025.

For Petitioner : Mr.K.Govindarajan,
for M/S.R.Niresh Kumar

For Respondents : Mr.K.S.Selvaganesan, (for R1 & R6)
Additional Government Pleader

M/S.M.Aasha (for R2 & R7)
Government Advocate



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Mr.Deenadhayalan, (for R3 to R5)
Standing Counsel
Mr.Nithyaesh Natraj, (for R8)
for Mr.K.Jeyamohan

ORDER

The present Writ Petition has been filed for the issuance of a Writ of Certiorarified Mandamus, to call for the records of the impugned communications in Na.Ka.No.3291919/2025/A3, dated 07.05.2025 issued by the first respondent and impugned order in Na.Ka.No.3300/2025/a2, dated 08.05.2025 issued by the sixth respondent and quash the same and consequently, direct the seventh respondent police to give adequate protection for the completion of repair works approved by the fifth respondent in his proceedings dated 19.04.2025.

2. The brief facts, as stated in the writ petition are that the petitioner company had engaged one Robin Power Solution Limited as project contractor for establishing the 20 MW Solar Power Project and later, it was reduced to 16 MW to the tune of around 125.18 Crore. The petitioner company after obtaining approval from the TANGEDCO and Tamil Nadu Green Energy Corporation Limited, Chennai had installed HT Towers, which connects the Solar Power Plant with TANGEDCO Substation at Batlagundu and it was commissioned and evacuated to the third respondent Grid on 30.09.2022. All of a sudden, the above erected HT lines were disconnected and cut down by the unknown persons on



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02.04.2025 and the same was carried out at the inducement of the Robin Power Solution Limited, for which the petitioner company had given complaint on 02.04.2025 itself and CSR was issued by the respondent Police. In the incident, 100 meters cables were cut down and stolen. The fifth respondent on 19.04.2025 has stated that they would provide LC (Line Cut) if police protection is obtained by the petitioner/company. In the meanwhile, the contractor of the petitioner company approached this Court in CrI.O.P.(MD)No.8262 of 2025 seeking police protection and the same was disposed on 30.04.2025. At this juncture, the sixth respondent herein issued impugned communication in Na.ka.No.3300/2025/a2, dated 08.05.2025, based on the letter issued by the first respondent in Na.Ka.No. 3291919/2025/A3 dated 07.05.2025. The petitioner came to know that the said order came to be passed on the petition of one Ranjitham and Ramasamy, who are the owners of the property in S.Nos.939/4 and 939/1. For the said complaint the 1st respondent has passed the impugned order dated 07.05.2025 wherein the 1st respondent has directed Tahsildar to carry out spot inspection, conduct enquiry and submit report. Based on the said direction the Tahsildar had conducted enquiry and directed the petitioner to obtain permission from the District Collector, thereafter carry out the work. But the contention of the petitioner is that the said work was carried out as early as 2022 and the electric line is commissioned, now the same is functioning. Hence the impugned order passed is



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totally against incorrect facts. Therefore, aggrieved over the said impugned orders, the present writ petition has been filed.

3.The learned counsel appearing for the petitioner submitted that the present HT towers are connecting from the Solar Power Generation to the grid of the TANGEDCO. Further, the said power is being utilized by the following companies:

S. No.	Company	Proposed	Now Feeding	Feeder
1.	PAS	2MW	2MW	Theni Gurukrishna Feeder
2.	AAA	2MW	2MW	Theni Gurukrishna Feeder
3.	Dharma	1MW	1MW	Theni Gurukrishna Feeder
4.	Theni Gurukrishna	7MW	7MW	Theni Gurukrishna Feeder
5.	Prodigy Energy (P) Ltd	4MW	4MW	Theni Gurukrishna Feeder
6.	Sivaraj Spinning	16MW	16MW	Sivaraj Feeder
Total		32MW	32MW	

4. Mr.Deenadayalan, learned Standing counsel appearing for the respondents 3 to 5 submitted that the work was completed and commissioned and the same is supplying electricity, which could be confirmed from the communication of the TANGEDCO dated 30.09.2022.

5. Mr.Nithyaesh Natraj, for Mr.K.Jeyamohan, learned counsel appearing on behalf of the proposed 8th respondent submitted that the HT lines are crossing through the individual patta land. However, they were not granted any



compensation. The petitioner and other beneficiaries are utilizing the said power by erecting the tower through their patta land. Therefore, he submitted his objection for erecting HT towers and crossing lines through their patta land. The said contention was vehemently objected by the petitioner stating that the said lines were not crossing through the 8th respondent's land at all. Further submitted wherever the towers are erected and wherever the lines are crossing through the patta land, the petitioner has already paid compensation.

6. It is seen from the impugned order of the Tahsildar, some 14 persons patta lands are utilized. But it is not clear whether the HT towers erected or whether HT lines are crossing through their land. The same ought to be ascertained. Since these are factual matters, it cannot be decided in the writ jurisdiction. The appropriate authority is a District Collector.

7. The contention of the petitioner that the impugned order was passed without issuing notice to the petitioner and to the companies listed supra. The said contention is rejected since the impugned order is only fact-finding report. Moreover, the Tahsildar is not the appropriate authority to conduct enquiry. Even though the impugned order was passed without issuing notice to the petitioner and any of the companies, it is held by this Court that the impugned order is fact-finding report, hence the petitioner and other companies are entitled to copy of the same.



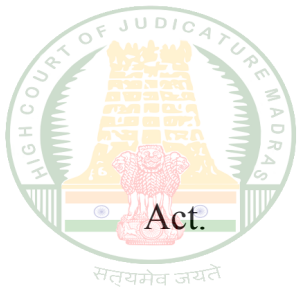
8. As far as the plea of removal of HT towers, the same cannot be granted, since the towers were erected in the year 2022. Since already lines have been erected, the new impleaded 8th respondent and other land owners cannot raise objections and cannot seek to remove pole or lines. But they are entitled to compensation, if towers are erected in their land and if lines are passing through their lands. Hence, wherever compensation has not been paid, the first respondent/District Collector is directed to quantify the compensation as per law and the respondents shall pay the compensation.

9. Based on the above observations, this Court is passing the following order:

9.1. The first respondent/District Collector is directed to conduct enquiry as per Indian Telegraphic Act, after issuing notice to the petitioner and other companies listed supra and also to the individual patta holders and pass appropriate orders on merits in accordance with law. The said exercise shall be completed within a period of 8 weeks from the date of receipt of a copy of this order.

9.2. If spot inspection is needed, the same shall also be carried out by the first respondent.

9.3. Wherever HT towers are erected and wherever the HT lines are crossing through their patta lands, they are entitled to get compensation as per the



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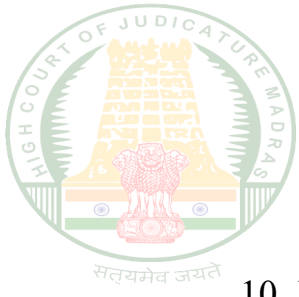
9.4. The copy of the Tahsildar report shall be issued to the petitioner and other companies and based the same the petitioner and the companies shall submit their objections.

9.5. As far as the allegation of disconnected by unknown persons the same amount to illegal act, therefore, the TANGEDCO is directed to rectify the lines and supply shall be restored to the petitioner and other companies.

9.6. As far as the allegation of theft and cutting of electric lines are concerned, the 7th respondent/Inspector of Police is directed to take appropriate action against the persons, who have committed the said criminal act, based on the petitioner's complaint.

9.7. This order of compensation is applicable for the already erected lines and for the existing lines alone. If any new lines ought to be erected, the same can be erected after obtaining appropriate orders from the first respondent/District Collector.

9.8. The second respondent is directed to grant police protection during the repair works.



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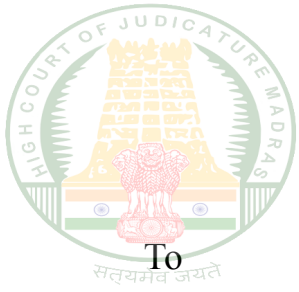
10. With the above directions, this Writ Petition is disposed of. There shall be no order as to costs. Consequently, the connected writ miscellaneous petitions are closed.

30.06.2025

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

Vsg

Note:Issue Order Copy on 14.07.2025.



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To

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District Collector Office,
Dindigul.
- 2.The Superintend of Police,
Dindigul, Dindigul District.
- 3.The Superintend Engineer,
TANGEDCO, Dindigul.
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S.SRIMATHY, J.

Vsg

**ORDER MADE IN
W.P(MD)No.16384 of 2025**

**DATED : 30.06.2025
(2/2)**