



WEB COPY



WP No.36509 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.02.2026

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No.36509 of 2024

N.Dhanalakshmi

... Petitioner

Vs.

1. The Superintending Engineer,
Office of the Superintending Engineer (Metro),
TANGEDCO, Tatabad,
Coimbatore – 641 012.
2. The Executive Engineer,
TANGEDCO,
Coimbatore Electricity Distribution Circle(Metro),
182, Dr.Subbarayan Salai, Tatabad,
Tatabad, Coimbatore – 641 012.
3. The Executive Engineer,
TANTRANSESCO,
Tatabad, Coimbatore,
Pincode 641 012.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents herein to shift the High Tension Electric Tower from the petitioner's plot bearing



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Nos.5 and 6, situate at S.F.No.409/1 and 411/2, Dhamodarasamy Layout, Upplipalayam, Coimbatore Taluk and District or in the alternate to pay the fair and reasonable compensation commensurating with the market price for the said plots to her within a stipulated period.

For Petitioner : Mr. K.Govi Gnesan
For Respondents-1 to 3 : Mr.D.R.Arunkumar,
Standing Counsel

ORDER

This writ petition has been filed for the following relief:

“To issue a Writ of Mandamus, directing the respondents herein to shift the High Tension Electric Tower from the petitioner’s plots bearing Nos.5 and 6, situate at S.F.No.409/1 and 411/2, Dhamodarasamy Layout, Upplipalayam, Coimbatore Taluk and District or in the alternative to pay the fair and reasonable compensation commensurate with the market value of the said plots to her within a stipulated period.”

2. The relief claimed in this writ petition cannot be granted in the light of the judgment passed by the Division Bench of this Court in W.A. No. 380 of 2020, dated 18.08.2021, wherein the Bench, while interpreting the provisions of Section 10(d) and Section 16(3) of the



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Indian Telegraph Act, 1885, and upon quoting Section 16(3) of the Act,

held that it is the District Court which has to adjudicate upon any dispute between the telegraph authority on the one hand and the owner on the other. The Bench had directed the writ petitioner therein to approach the District Court to decide all the issues relating to the sufficiency of compensation, provided the writ petitioner is able to establish the damage.

3. Therefore, in the light of the above, this Writ Petition is disposed of and liberty is granted to the petitioner to approach the District Court within a period of eight weeks from the date of receipt of a copy of this order by invoking Section 16(3) of the Indian Telegraph Act, 1885. No costs.

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Index : Yes/No
Speaking Order : Yes / No
srn



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