



WP(MD). No.29738 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 05/02/2026

CORAM

THE HONOURABLE MR. JUSTICE R.VIJAYAKUMAR

WP(MD). No.29738 of 2025

and

**W.M.P(MD).Nos.23001 and 23002 of 2025
and 2538 of 2026**

J.Kanakavalli,

... Petitioner

Vs

1. The District Collector,
O/o. The Collectorate,
Theni District..
2. The Eurus Helios Infrastructure Pvt, Limited,
Rep. by its Authorized Signatory,
No.12/1, Murugappa Street,
Kotturpuram,
Chennai - 85..
3. Tamil Nadu Electricity Board,,
Tneb Complex,
Nrt Nagar, Theni Allinagaram
Power House Road, T Nagar,
Theni District.

... Respondents



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PRAYER :- Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus calling for the impugned order issued by the first respondent in his proceedings in File No.1879599 / G3 / 2024 dated 03.09.2025 and quash the same and consequently direct the respondents to follow the procedure established by law i.e the strict complaints of the procedure established u/s.10 and 16 of the Telegraphic Act 1885 and under Section 164 of the Electricity Act.

For Petitioner : Mr.C.Jeganathan,
For R1 : Mr.Veerakathiravan
Additional Advocate General
Assited by
M/s. D.Farjana Ghowsia
Special Government Pleader
For R2 : Mr.Aayiram K.Selva Kumar
For R3 : Mr.S.Deenadhayalan
Standing Counsel

ORDER

The present writ petition has been filed challenging the order passed by the first respondent herein on 03.09.2025, wherein the first respondent has granted entre upon permission to the second respondent and also fixed compensation under Section 16 of the Telegraphic Act, 1885.



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2. According to the learned counsel appearing for the writ petitioner, the second respondent who is undertaking a private power project, is stringing electrical lines over and above the petitioner's property without obtaining any prior permission from the competent Authorities. When attempt was made to disturb his possession, the petitioner lodged objections with the first respondent on 18.08.2025; however, his objections were not considered and the private respondents proceeded with the erection of the Solar/Electrical Poles and he has filed W.P.(MD)No.24183 of 2025 before this Court and the writ petition came to be disposed of on 04.09.2025 and the relevant portion of the order is extracted as follows:

“ The second respondent proposes to draw transmission lines over the petition mentioned patta land which belongs to the petitioner. The petitioner has already lodged her objections. Therefore, without formal order from the first respondent, lines cannot be drawn. If the first respondent intends to grant permission, it is only just and proper that in the same proceeding, the compensation payable to the petitioner is also fixed. Before drawing lines, the second respondent has to pay compensation to the petitioner. If the petitioner is aggrieved by the quantum of



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compensation fixed by the District Collector, it is always open to the petitioner to move the jurisdictional Civil Court for enhancement. The District Collector, Theni shall dispose of the petitioner's objection within a period of three weeks from the date of receipt of a copy of this order. ”

3. When W.P(MD).No.24183 of 2025 came up for hearing, it was not brought to the notice of the court that the first respondent had already passed an order on 03.09.2025.

4. A perusal of the impugned order reveals that the objections raised by the writ petitioner on 18.08.2025 have not been considered at all. Even in the reference column, there is no reference about the objections raised by the writ petitioner. In such circumstances, the impugned order in the writ petition is set aside at all.

5. The learned Additional Advocate General appearing for the first respondent submitted that, out of the eighty landlords, some has accepted the order passed by the District Collector and therefore, any order passed would affect the power project.

6. The learned counsel appearing for the second respondent submitted that if the petitioner is aggrieved over the compensation, he



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can approach the competent Civil Court but let him not interfere with the project.

7. Considering the fact that the order impugned in the writ petition has been passed without considering the objections raised by the writ petitioner with regard to the enter upon permission as well as with regard to the quantum of compensation, the impugned order is liable to be set aside insofar as the petitioner is concerned. Accordingly, the impugned order in the writ petition is set aside and the first respondent is directed to take the matter on file for passing fresh orders after considering the objections already raised by writ petitioner. The said exercise shall be completed within a period of two weeks from the date of receipt of a copy of this order.

8. with the above observations, this writ petition is disposed of .
No Costs. Consequently, connected miscellaneous petitions are closed.

05.02.2026

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R.VIJAYAKUMAR,J

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**ORDER
IN
WP(MD) No.29738 of 2025**

Date : 05/02/2026