

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 16.10.2015

CORAM

THE HONOURABLE MR.JUSTICE N.KIRUBAKARAN

W.P.No.33591 of 2015

Subramanian

.... Petitioner

- Vs -

1.The Assistant Engineer (O & M)
Tamilnadu Generation and
Distribution Corporation
(TANGEDCO)
Ariyalur West, Ariyalur District.

2. The Junior Engineer (O & M)
Tamilnadu Generation and
Distribution Corporation
(TANGEDCO)
Ariyalur West, Ariyalur District. Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue Writ of Mandamus directing the respondents to provide new agricultural connection to the petitioner in SF No.37/4C instead of 37/2F of Periyavenmani East Village, Kunnam Taluk, Perambalur District.

For Petitioner : Mr.S.Kamadevan

For Respondents : Mr.P.Gunaraj

O R D E R

By consent, this Writ Petition is taken up for final disposal.

2. The Petitioner applied for new agricultural (electricity) service connection in respect of bore-well dug in S.F.No.37/2F at Periyavenmani East Village, Kunnam Taluk, Perambalur District. The said application was made on 01.06.1999. The said property is a joint family property originally belonging to the petitioner and his brother. Since, there is a dispute with regard to the said property, the petitioner wants to change the said service connection from S.F.No.37/2F to his own property comprised in S.F.No.37/4C. The said representation has not been disposed of. Hence, the petitioner has come forward before this Court with the present writ petition.

3. Heard Mr.S.Kamadevan, learned counsel for the petitioner and Mr.Gunaraj learned counsel for the respondents.

4. A perusal of the records would go to show that the petitioner applied for agricultural electricity connection as early as on 01.06.1999. Since, there is a dispute with regard to the property comprised in S.F.No.37/2F, the petitioner intends to get service connection for the well which is located in his own property at S.F.No.37/4C. The patta issued by the Tahsildar would disclose that, along with many properties, the property comprised in S.F.No.37/4C also stands in the name of the petitioner. The petitioner has also made another representation on 26.09.2015 narrating the above said facts.

5. When an exclusive property is available to the petitioner, there cannot be any impediment for the respondents to change the service connection from the property comprised in S.F.No.37/2F to S.F.No.37/4C. Therefore, this Court is of the opinion that the respondents should be directed to take a decision on the representation of the petitioner dated 26.09.2015. The said decision has to be taken within a period of four weeks from the date of receipt of a copy of this order, after issuing notice to all the persons concerned. It is open

to the petitioner to produce all the title documents to convince that he is absolute owner of the land in respect of S.F.No.37/4C.

This Writ Petition is disposed of accordingly. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar (Co)

True Copy

Sub Assistant Registrar

To

1. The Assistant Engineer (O & M)
Tamilnadu Generation and
Distribution Corporation
(TANGEDCO)
Ariyalur West, Ariyalur District

2. The Junior Engineer (O & M)
Tamilnadu Generation and
Distribution Corporation
(TANGEDCO)
Ariyalur West, Ariyalur District

+1cc to Mr.P.R.Dhilip kumar, Advocate Sr.57356

+1cc to Mr.S.Kamadevan, Advocate Sr.57430

W.P.No.33591 of 2015

ca[co]
srg 3/11/2015

सत्यमेव जयते

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