

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.12.2015

CORAM

THE HONOURABLE Mr. JUSTICE T.S.SIVAGNANAM

W.P.No.38375 of 2015

Kesavan

.. Petitioner

Vs

- 1.The Chairman,
Tamil Nadu Electricity Board,
Anna Salai, Chennai.
 - 2.The Chief Engineer, (O&M)
Tamil Nadu Electricity Board,
Ulundurpet, Villupuram District.
 - 3.The Executive Engineer,
(Operation & Maintenance)
Tamil Nadu Electricity Board,
Ulundurpet, Villupuram District.
 - 4.The Junior Engineer,
(Operation and Maintenance)
Senkurichi,
Villupuram District.
- ... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, calling for the records of the 3rd respondent proceeding No.Ka.No.E.Mi.Po/E&P/Senk/V.A.Ko.Vi/A.No.2015-16 dated 31.10.2015, quash the same consequently direct the respondents to provide agricultural Electricity Connection to my Well available in S.No.287/12 in Senthamangalam Village, Ulundurpet Taluk, Villupuram District.

For Petitioner : Mr.N.Subramani

For Respondents 1 to 4 : Mr.M.Varun Kumar

ORDER

Heard Mr.N.Subramani, learned counsel appearing for

the petitioner and Mr.M.Varun Kumar, the learned counsel appearing for the respondents and by their consent, the Writ Petition is taken up for final disposal.

2. The petitioner has filed this Writ Petition challenging the proceedings dated 31.10.2015, in and by which, the petitioner's request for providing agricultural service connection in the Well available in Survey No.287/12, Senthamangalam Village, Ulundurpet Taluk, Villupuram District, was refused to be considered, on the ground that when he made an application in the year 1991, it was made for the adjoining Well in Survey No.274/1B. The petitioner's case is, due to natural calamity in that area, the Well in Survey No.274/1B is damaged and therefore, he wants service connection for the Well in Survey No.287/12.

3. The issue as to whether there is any prohibition or impediment to give such connection, has come up for consideration earlier and in the earlier decision of this Court in P.Periyasamy Vs. The Tamil Nadu Electricity Board and Others reported in [2010 (2) CTC 897], while considering similar objection, this Court held that there is nothing in the Electricity Laws which prohibits grant of such service connection and appropriate directions were issued.

5. In the light of the above, the Writ Petition is allowed. The impugned order is set aside and the respondents 3 and 4 are directed to conduct a fresh inspection of the land in question, verify the revenue records and if the petitioner is the owner of the Well in Survey No.287/12, the application for locating the service connection in the said land shall be considered in accordance with relevant regulations, within a period of eight weeks. No costs.

Sd/-

Assistant Registrar (CS-II)

//True Copy//

Sub Assistant Registrar

ds

To:

1.The Chairman,
Tamil Nadu Electricity Board,
Anna Salai, Chennai.

2.The Chief Engineer, (O&M)
Tamil Nadu Electricity Board,
Ulundurpet, Villupuram District.

3.The Executive Engineer,
(Operation & Maintenance)
Tamil Nadu Electricity Board,
Ulundurpet, Villupuram District.

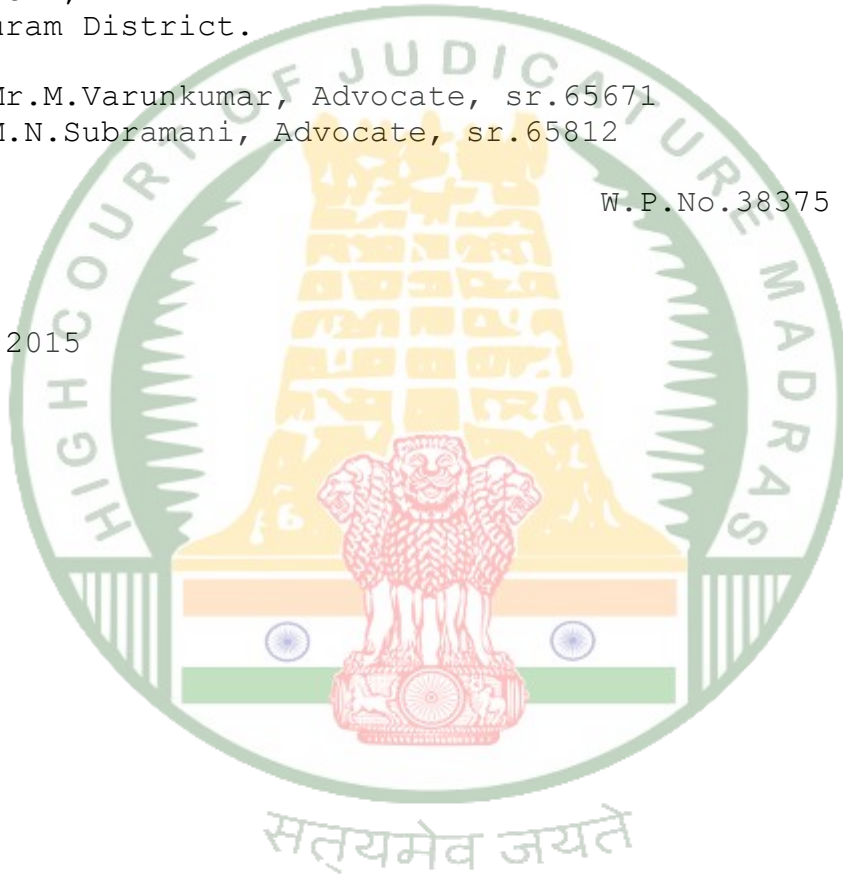
4.The Junior Engineer,
(Operation and Maintenance)
Senkurichi,
Villupuram District.

+1 cc to Mr.M.Varunkumar, Advocate, sr.65671

+1 cc to M.N.Subramani, Advocate, sr.65812

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