



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
DATED : 03.09.2015  
CORAM

WEB COPY

**THE HONOURABLE MR. JUSTICE R. SUBBIAH**

W.P. (MD) Nos. 11864 to 11874 of 2015  
and  
M.P. (MD) Nos. 1 of 2015

|                   |                                           |
|-------------------|-------------------------------------------|
| M. SHENBAGAVALLI  | ... PETITIONER in WP(MD) No.11864 of 2015 |
| M.S. SUBBRAMANIAN | ... PETITIONER in WP(MD) No.11865 of 2015 |
| K.ESAKKIMUTHU     | ... PETITIONER in WP(MD) No.11866 of 2015 |
| K. ESAKKI         | ... PETITIONER in WP(MD) No.11867 of 2015 |
| P.MANI            | ... PETITIONER in WP(MD) No.11868 of 2015 |
| K.ENAMMAL         | ... PETITIONER in WP(MD) No.11869 of 2015 |
| R. CHANDIRA       | ... PETITIONER in WP(MD) No.11870 of 2015 |
| SANKAR            | ... PETITIONER in WP(MD) No.11871 of 2015 |
| M.SUDALAIMUTHU    | ... PETITIONER in WP(MD) No.11872 of 2015 |
| P. MUTHUKUMAR     | ... PETITIONER in WP(MD) No.11873 of 2015 |
| M.CHELLAIAH       | ... PETITIONER in WP(MD) No.11874 of 2015 |

-VS-

- 1 THE ASSISTANT EXECUTIVE ENGINEER,  
DISTRIBUTION / URBAN, TANGEDCO,  
SHANTHI NAGAR, PALAYAMKOTTAI, TIRUNELVELI DIST.
- 2 THE EXECUTIVE OFFICER  
ARULMIGU VENKATACHALAPATHI TEMPLE,  
THIMMARAJAPURAM, TIRUNELVELI DIST.  
... RESPONDENTS in WP(MD) Nos.11864 to 11874 of 2015

Prayer in WP(MD) No.11864 of 2015:

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 1st respondent to give electricity supply to the petitioner's house in Door No. 7/27, Post Office South Street, Thimmarajapuram, Palayamkottai, Tirunelveli without,



insisting NOC to be obtained from the 2nd respondent.

Prayer in WP(MD) No.11865 of 2015:

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the 1st respondent to give electricity supply to the petitioner s house in D.No.7/102B, Pillaiyarkovil Street, Thimmarajapuram, Palayamkottai, Tirunelveli without instituting NOC to be obtained from the 2nd respondent.

Prayer in WP(MD) No.11866 of 2015:

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the 1st respondent to give electricity supply to the petitioner s house in D.No.6/106, Andal 2nd Street, Thimmarajapuram, Palayamkottai, Tirunelveli without instituting NOC to be obtained from the 2nd respondent.

Prayer in WP(MD) No.11867 of 2015:

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 1st respondent to give electricity supply to the Petitioner s house in Door No. 6/99A1, Rajamannar Street, Thimmarajapuram, Palayamkottai, Tirunelveli District, insisting NOC to be obtained from the 2nd respondent.

Prayer in WP(MD) No.11868 of 2015:

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the 1st respondent to give electricity supply to the petitioner s house in D.No.6/54A, Rajamannar Street, Thimmarajapuram, Palayamkottai, Tirunelveli without instituting NOC to be obtained from the 2nd respondent.

Prayer in WP(MD) No.11869 of 2015:

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the 1st respondent to give electricity supply to the petitioner s house in D.No.7/45, Sivalaperi Main Street, Thimmarajapuram, Palayamkottai, Tirunelveli without instituting NOC to be obtained from the 2nd respondent.

Prayer in WP(MD) No.11870 of 2015:

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 1st respondent to give electricity supply to the Petitioner s house in Door No. 7/67A, Sudalai Kovil Street, Palayamkottai, Tirunelveli District, insisting NOC to be obtained from the 2nd respondent.



Prayer in WP(MD) No.11871 of 2015:

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the 1st respondent to give electricity supply to the petitioner's house in D.No.61/5, , Pillaiyarkovil Street, Thimmarajapuram, Palayamkottai, Tirunelveli without instituting NOC to be obtained from the 2nd respondent.

Prayer in WP(MD) No.11872 of 2015:

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the 1st respondent to give electricity supply to the petitioner's house in D.No.7/28A, Old Post Office Street, Thimmarajapuram, Palayamkottai, Tirunelveli without instituting NOC to be obtained from the 2nd respondent.

Prayer in WP(MD) No.11873 of 2015:

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 1st respondent to give electricity supply to the Petitioner's house in Door No. 6/107, Sivalperi Main Street, Thimmarajapuram, Palayamkottai, Tirunelveli District, insisting NOC to be obtained from the 2nd respondent.

Prayer in WP(MD) No.11874 of 2015:

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the 1st respondent to give electricity supply to the petitioner's house in D.No.7/37, old post office street, Thimmarajapuram, Palayamkottai, Tirunelveli without instituting NOC to be obtained from the 2nd respondent.

For Petitioners : Mr.S.Selvakumar

For Respondents : Mr.G.Kasinatha Durai  
Standing Counsel for TNEB

#### **COMMON ORDER**

These writ petitions have been filed for issuance of Writ of Mandamus, directing the first respondent to give electricity supply to the petitioners' houses in their respective Door Numbers, situated at Thimmarajapuram, Tirunelveli District, without insisting 'No Objection Certificate' to be obtained from the second respondent.

2.Heard the learned counsel for the petitioners and the learned standing counsel appearing for the respondents.

3.By consent of both parties, these writ petitions are taken up for final hearing.



4. These writ petitions are relating to grant of electricity service connection for their residential premises.

5. The Electricity Board is objecting for giving electricity service connection only on the ground that the petitioners have to get 'No Objection Certificate', from the second respondent.

6. According to the petitioners, they are not parties to the civil suit filed by the second respondent in O.S.No.745 of 1965 on the file of the Additional District Munsif Court, Tirunelveli, and therefore, there is no need for any No Objection Certificate. The learned counsel for the petitioners relied upon an unreported judgment of this Court in W.P.(MD)Nos.17667 to 17671 of 2014, dated 03.11.2014 whereby this Court had passed an order directing the authorities to consider the petitioners' application, in the light of the Judgment of the Division Bench of this Court and pass appropriate orders after giving notice to all the parties concerned. The learned counsel for the petitioners also would say that the petitioners will give necessary documents pertaining to their property and establish their right and then seek for service connection.

7. The learned standing counsel appearing for the respondents would contend that the first respondent will enquire in respect of the right of the petitioners after giving notice to the second respondent by following the earlier order of this Hon'ble Court.

8. Taking into account that the petitioners need electricity service connections for their residential houses, the authorities shall consider the same in accordance with law, as per the order passed by this Court in W.P.(MD)Nos.17667 to 17671 of 2014, dated 03.11.2014, following the Division Bench Judgments of this Court. The petitioners shall approach the authority concerned with all relevant documents, viz., family card, nativity certificate and copy of the sale deed as proof of purchase etc., and on such receipt of the applications, the authority shall also issue notice to the second respondent and call for an enquiry and then pass appropriate orders as expeditiously as possible.

9. With the above directions, this writ petitions are disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-  
Assistant Registrar

/True Copy/



To

1.The Assistant Executive Officer,  
Distribution / Urban  
TANGEDCO, Shanthi Nagar,  
Palayamkottai, Tirunelveli.

2.The Executive Officer,  
Arulmigu Venkatachalapathi Temple,  
Thimmarajapuram,  
Tirunelveli District.

+1cc to Mr.SELVAKUMAR, Advocate Sr.No.52499  
KM  
AA/14.09.2015/5p-4c

W.P. (MD) Nos.11864 to 11874 of 2015  
03.09.2015