



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.01.2015

CORAM

THE HONOURBLE MR.JUSTICE B.RAJENDRAN

W.P(MD) .No.15449 of 2014

J.K.Andal

.. Petitioner

Vs.

1.The Assistant Engineer (Urban),
(Distribution),
Tamil Nadu Generation and Distribution
Corporation Ltd.,
(TANGEDCO), SANTHI NAGAR,
Palayamkottai,
Tirunelveli District.

2.The Executive Engineer-Urban,
(Distribution),
Tamil Nadu Generation and Distribution
Corporation Ltd.,
(TANGEDCO), Tirunelveli,
Tirunelveli District.

3.Tamil Nadu Generation and Distribution
Corporation Ltd.,
(TANGEDCO), 144,
Anna Salai,
Chennai - 600 002 represented by
Its chairman.

4.Arulmigu Venkitachalapathy Thirukoil,
Thimmarajapuram,
Palayamottai Taluk,
Tirunelveli District through
Its Executive Officer.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the records pertaining to the proceedings of the first respondent Ka.No.Ini Po/Vi/Na.Pu/Sa. Nagar Ko. Pukar /A. No. 214/14 dated 15.07.2014 and quash the same and consequently direct the respondents 1 to 3 to provide Electricity Service connection to House Building Bearng door No.76a in Pillaivar Kovil Street, Thimmarajapuram in Ward NO.11 of Tirunelveli Municipal Corporation (previously ward No. 7 of Thimmarajapuram Panchayat) in Natham Survey Number 162 of Thimmarajapuram Village,



Palayamkottai Taluk, Tirunelveli District within a period that may be fixed by this Honourable Court without insisting the "No Objection Certificate" from the Respondent 4.

For Petitioner : Mr.V.Kannan
For R1 to R3 : Mr.G.Kasinathadurai

ORDER

Heard the learned counsel for the petitioner and the learned standing counsel appearing for the respondents 1 to 4.

2. By consent of both parties, the writ petition is taken up for final hearing.

3. The writ petition is relating to grant of electricity service connection only for the residential premises.

4. The electricity board is objecting for giving electricity service connection only on the ground that the petitioner has to get No Objection Certificate from the fourth respondent.

5. According to the petitioner he is not a party to the civil suit and therefore there is no need for any No Objection Certificate. The learned counsel for the petitioners relied upon an unreported Judgement of this Court in W.P. (MD) Nos. 17667 to 17671 of 2014, dated 03.11.2014 whereby this Hon'ble Court has 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 petitioner also would say that the petitioner will give necessary documents pertaining to his property and establish his right and then seek for service connection.



6. The learned standing counsel appearing for the respondents 1 to 4 would contend that the first respondent will enquire in respect of the right of the petitioner after giving notice to the fourth respondent by following the earlier order of this Hon'ble Court.

7. Taking into account that the petitioner need electricity service connection for his residential house, the authorities will consider the same in accordance with law as per 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 petitioner will approach the authority concerned with all his relevant documents, viz., family card, nativity certificate and copy of the sale deed as proof of purchase etc., and on such receipt of the application, the respondent will also issue notice to the fourth respondent and call for an enquiry and then pass appropriate orders as expeditiously as possible.

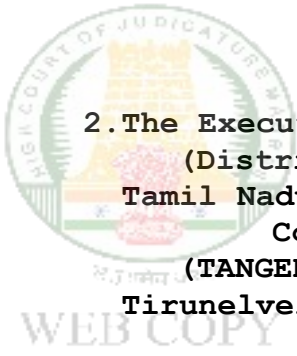
8. With the above directions, the writ petition is disposed of.
Nocosts.

Sd/-
Assistant Registrar (AE)

\True copy\

Sub-Assistant Registrar

To
1. The Assistant Engineer (Urban),
(Distribution),
Tamil Nadu Generation and Distribution
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4. The Executive officer
Arulmigu Venkitachalapathy Thirukoil,
Thimmarajapuram,
Palayamottai Taluk,
Tirunelveli District

+1 cc to M\S .V.Kannan cesr.4370/15

+1 cc to Mr. G.kasinathadurai cesr.4477/15

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30.01.2015

B.RaJENDRAN,

rj2

rh

02.03.2015

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