



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :08.09.2015

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THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P(MD) .No.16223 of 2015

WEB COPY

A.S.Arunachalam

...Petitioner

Vs.

1.The Executive Engineer(Distribution),
Tamil Nadu Generation and Distribution Corporation Limited,
Rajaapalayam, Virudhunagar District.

2.The Junior Engineer(Distribution),
Tamil Nadu Generation and Distribution Corporation Limited,
Thalavaipuram, Virudhunagar District. ...Respondents

This Writ Petition has been filed under Article 226 of the Constitution of India praying for a Writ of Mandamus directing the respondent to provide electricity connection for agricultural purpose to the petitioner name in Survey No.767/2A Ellanthiraikondan Village, Rajapalayam Taluk, Virudhunagar District pursuant to the communication issued by the first respondent vide க.எண் /செடிபா/ப/இராசை/தொ/நுஉ2/கோ.வி.வ/அ.எண் /2008/2010 dated 14.07.2010.

For petitioner : Mr.V.Sasikumar
For Respondents : Mr.G.Kasinatha Durai

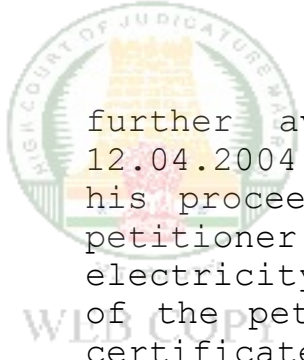
ORDER

The Writ Petition has been filed praying for a Writ of Mandamus directing the respondents to provide electricity connection for agricultural purpose in the name of the petitioner in Survey No.767/2A Ellanthiraikondan Village, Rajapalayam Taluk, Virudhunagar District pursuant to the communication issued by the first respondent vide க.எண் /செடிபா/ப/இராசை/தொ/நுஉ2/கோ.வி.வ/அ.எண் /2010 dated 14.07.2010.

2. Mr.G.Kasinatha Durai, learned counsel takes notice for the respondents.

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

4.It is averred in the petition filed in support of the Writ Petition that the property in Survey No.767/2A Ellanthiraikondan Village, Rajapalayam Taluk, Virudhunagar District is an ancestral property of the petitioner. His father by digging bore-well in the said property, cultivated coconut, mango and plantain trees and he applied for free electricity service connection on 13.05.1995 itself. Since the same was not considered by the petitioner applied for free electricity service connection in the year 2002. But the second respondent provided electricity service connection on commercial tariff. It is



further averred that the father of the petitioner died on 12.04.2004. But, there after on 14.07.2010, the first respondent by his proceedings, dated 14.07.2010, called for the father of the petitioner to produce certain documents for providing free electricity service connection without the knowledge of the death of the petitioner's father. Hence, the petitioner produced death certificate of his father before the first respondent and requested to provide electricity service connection in his name. The petitioner has also produced the legal heir certificate before the first respondent along with the representation dated, 10.05.2015. The same was not considered so far. Hence, the petitioner has come forward with the Writ Petition for the above stated relief.

5. Considering the submission made on either side, without going into the merits of the matter, this Court directs the first respondent to consider the representation of the petitioner, dated 10.05.2015 with regard to providing free electricity service connection, and pass appropriate orders on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order. It is made clear, this Court has not expressed any opinion on the merits of the claim made by the petitioner and it is for the second respondent to consider the same purely on merits.

With the above direction, the Writ Petition is disposed of.
No Costs.

Sd/-
Assistant Registrar-RTI

/TRUE COPY/

Sub Assistant Registrar

pm
To

1. The Executive Engineer (Distribution),
Tamil Nadu Generation and Distribution Corporation Limited,
Rajaapalayam, Virudhunagar District.

2. The Junior Engineer (Distribution),
Tamil Nadu Generation and Distribution Corporation Limited,
Thalavaipuram, Virudhunagar District.

+1 cc to MR.V.Sasi kumar , ADVOCATE, SR NO: 52567

JAM/SKS-RR/LIB/1.10.15/2P-4C

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