



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:27.10.2015

Coram

WEB COPY

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P. (MD) .No.19265 of 2015

1.Kuruvaiah
2.Madasamy
3.Thangaperumal
4.Sendhattikalai
5.Varadharaj
6.Madasamy

: Petitioners

vs.

The Assistant Engineer,
Tamilnadu Electricity Board,
TANGEDCO, (Distribution),
Tiruvengadam,
Sankarankovil Taluk,
Tirunelveli District.

: Respondent

Prayer: Petition is filed under Article 226 of the Constitution of India for the issue of a Writ of Mandamus, directing the respondent to provide electricity connection to the petitioners based on the indemnity bond, dated 12.06.2015.

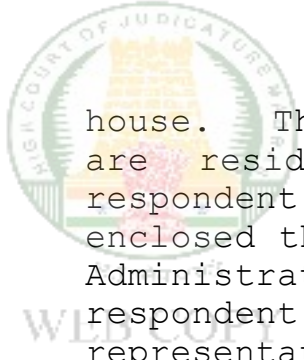
For Petitioners : Mr.R.J.Karthick for
Mr.M.Saravanan

For Respondent : Mr.G.Kasinathadurai
Standing Counsel for TNEB

ORDER

The Writ Petition has been filed, praying for issuance of a Writ of Mandamus, directing the respondent to provide electricity connection to the petitioners, based on the indemnity bond, dated 12.06.2015.

2. The case of the petitioners is that they belong to weaker section of the society and they are doing scavenging work. The petitioners are the residents of Kattunaicker Street, Tiruvengadam Village, Sankarankovil Taluk, Tirunelveli District. The petitioners had constructed a separate house, in S.No.1400 and ~~the house is on a piece of land~~ in the said house. Since the said land is classified as river poramboke, the respondent informed the petitioners that electricity connection cannot be given to their



house. The petitioners and other similarly placed persons, who are residing in that area, submitted applications to the respondent along with deed of indemnity. The petitioners had also enclosed the ration card and the certificate issued by the Village Administrative Officer, to show their possession, but the respondent refused to receive the same. Even though they sent a representation on 11.07.2015, to provide electricity connection, it was not considered. Hence, the present writ petition.

3. When the matter is taken up for consideration, the learned counsel appearing for the petitioners invited the attention of this Court to the Judgment of this Court in *T.M. Prakash Vs. The District Collector, Tiruvannamalai District* reported in (2013(6) CTC 849) and submitted that the persons, who are residing in poromboke land, when sought for providing electricity service connection, by producing, 'No Objection Certificate from the Officers, not below the rank of Deputy Tahsildar electricity service connection can be provided and if such certificate is not produced, an undertaking is sufficient, to provide electricity service connection.

4. In the instant case, since the authorities are not intended to give 'No Objection Certificate', the petitioners have submitted the application along with indemnity bond and even thereafter, the respondent has refused to receive the same.

5. Heard both sides.

6. Considering the submissions made on either side and the Judgment of this Court, referred to above, the petitioners are directed to send the application form and Indemnity Bond along with a copy of this order to the respondent and on receipt of the same, the respondent is directed to consider the case of the petitioners and provide electricity service connection to their house, within a period of two weeks, thereafter.

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

Sd/-
Assistant Registrar (T&P)

/True Copy/

Sub Assistant Registrar



To

The Assistant Engineer,
Tamil Nadu Electricity Board,
TANGEDCO (Distribution),
Tiruvengadam,
Sankarankovil Taluk,
Tirunelveli District.

+ 1 CC TO MR.R.J.KARTHIK, ADVOCATE IN SR NO. 62766

PM

SH/JGB-DP/ : 04/11/2015 : 3P/3C

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