



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.03.2015

WEB COPY

CORAM:

THE HONOURABLE MR.JUSTICE **B.RAJENDRAN**

W.P. (MD) Nos.3558 to 3562 of 2015

and

M.P.Nos.1,1,1,1 and 1 of 2015

T.Krishnakonar	: Petitioner in W.P.[MD].No.3558 of 2015
P.Murugan	: Petitioner in W.P.[MD].No.3559 of 2015
S.Nambirajan	: Petitioner in W.P.[MD].No.3560 of 2015
T.Krishnakonar	: Petitioner in W.P.[MD].No.3561 of 2015
A.Sudalaimuthu	: Petitioner in W.P.[MD].No.3562 of 2015

Vs.

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

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

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for the issue of a Writ of Mandamus directing the first respondent to give electricity supply to the Petitioners houses in D.No.270, Sevalaperi Main Road, Thimmarajapuram, Palayamottai, Tirunelveli, D.No.7/276, Pillayar Kovil Street, Thimmarajapuram, Palayamottai, Tirunelveli, D.No.150/300, Pillayar Kovil Street, Thimmarajapuram, Palayamottai, Tirunelveli, D.No.41A, Rajamannar Street, Thimmarajapuram, Palayamottai, Tirunelveli and D.No.7/267-B, Sudalaikovil East Street, Thimmarajapuram, Palayamottai, Tirunelveli respectively without insisting NOC to be obtained from the second respondent.

For Petitioners : Mr.S.Selvakumar

For Respondent No.1 : Mr.G.Kasinathadurai
Standing Counsel

COMMON ORDER

Heard the learned counsel for the petitioners and the learned Standing Counsel appearing for the first respondent. By consent, these writ petitions are taken up for final hearing.



2. Since a common issue is involved in all these Writ Petitions, they were heard together and they are disposed of by means of this Common Order.

3. The issue involved in these Writ Petitions has already been decided by this Court, in **W.P(MD).Nos.169 to 179 of 2015**, dated **08.01.2015**, wherein it has been held as follows:-

"4. 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.

5. According to the petitioners, they are not parties 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 petitioners will give necessary documents pertaining to their property and establish their right and then seek for service connection.

6. 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.

7. Taking into account that the petitioners need electricity service connection for their residential houses, 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 their 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 second respondent and call for an enquiry and then pass appropriate orders as expeditiously as possible."

4. Following the said order dated 08.01.2015, made in **W.P(MD). Nos.169 to 179 of 2015**, dated **08.01.2015**, the present Writ Petition are also disposed of on similar lines, making it clear that the petitioners herein will 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 receipt of such applications, the first respondent herein will issue notice to the second respondent herein and call for an enquiry and then pass appropriate orders, as expeditiously as possible. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

To

1. The Assistant Executive Engineer,
Distribution/Urban, TANGEDCO, Shanthi Nagar,
Palayamkottai, Tirunelveli.
2. The Executive Officer,
Arulmigu Venkatachalapathi Temple,
Thimmarajapuram, Tirunelveli District.

+1cc to Mr.S.Selvakumar, Advocate Sr.No. 13589
+1cc to Mr.G.Kasinatha Durai, Advocate Sr.No. 12807
nb
AA/08.04.2015/3p- 5c/

COMMON ORDER MADE IN
W.P. (MD) Nos. 3558 to 3562 of 2015
DATED - 18.03.2015