



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.08.2015

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P(MD).No.3936 of 2013

C.Ramasamy

...Petitioner

Vs

1.The Executive Engineer,
Operation & Maintenance (Rural)
Tamil Nadu Electricity Board, Karur.

2.The Assistant Executive Engineer,
Operation & Maintenance (Rural)
Tamil Nadu Electricity Board,
Karur Distribution Circle,
Thennilai, Karur District.

...Respondents

Prayer:- Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents to install electricity line to the petitioner's borewell situate in Survey No.379/B, Thennilai Village, Aravakurichi Taluk, Karur, in a minimum expensive manner on the basis of the petitioner's representation dated 05.03.2013.

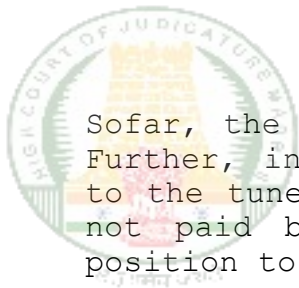
For Petitioner	: M/s.S.Deenadhayalan
For respondents	: Mr.S.M.S.Johnny Basha
	Standing Counsel

ORDER

This petition has been filed praying for a Writ of Mandamus directing the respondents to install electricity line to the petitioner's borewell situate in Survey No.379/B, Thennilai Village, Aravakurichi Taluk, Karur, in a minimum expensive manner, on the basis of the petitioner's representation dated 05.03.2013.

2. The case of the petitioner is that he is an agriculturist. He made an application on 29.08.2008 to the first respondent for effecting service connection to the bore-well pump set earthed in the agricultural lands of the petitioner bearing S.No.379/B. The petitioner has also made an undertaking to the first respondent that he would bear the installation fee for the above said electricity connection, for which, he also paid an advance fee of Rs.500/- to the respondents. In spite of the same, the respondents have not come forward to provide electricity connection to the petitioner. Hence, he has come forward with the present Writ Petition.

3. The respondents have filed a counter affidavit in which it is stated that the electricity connection will become economic if the electricity connection is drawn from the adjacent pole, for which, the petitioner has to produce "No Objection Certificate" from one B.Ramasamy.



Sofar, the petitioner has not given such Certificate to the respondents. Further, in an alternative, an estimate was prepared by the respondents to the tune of Rs.1,93,515/- to lay a pole. The said amount was also not paid by the petitioner. Hence, the respondents are not in a position to effect service connection to the petitioner.

WEB COPY 4. When the matter is taken up for consideration, the learned Counsel for the petitioner submitted that the said Ramasamy is prepared to give a consent letter to effect service connection to him and therefore, he preyed this Court that a direction may be given to the respondents in this regard.

5. Considering the facts and circumstances of the case, this Court passes the following order:-

Since the petitioner is ready to get a consent letter from the said Ramasamy, the petitioner is directed to do so, within a period of two weeks from the date of receipt of a copy of this order. In the event of producing such consent letter, the respondents are directed to consider the claim of the petitioner positively and effect service to the petitioner immediately in any event not later than one week from the date of consent letter to be produced by the petitioner.

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

Sd/-

Assistant Registrar (writ)

/True Copy/

Sub Assistant Registrar

ssm

To

1.The Executive Engineer,
Operation & Maintenance (Rural)
Tamil Nadu Electricity Board,
Karur.

2.The Assistant Executive Engineer,
Operation & Maintenance (Rural)
Tamil Nadu Electricity Board,
Karur Distribution Circle,
Thennilai, Karur District.

+1CC to M/S.S.Deenadhayalan Advocate SR.No.43799

W.P (MD) .No.3936 of 2013

Dated: 04.08.2015

GJM/17.8.15-2P-4C