

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.04.2016

CORAM

THE HON'BLE MR.JUSTICE T.S.SIVAGNANAM

Writ Petition No.15606 of 2016

M.Shanmugam

... Petitioner

Vs.

1. The Assistant Engineer,
Operation & Maintenance,
Tamil Nadu Generation and Distribution Contribution Ltd.,
Erode Electricity Distribution Circle (West)
Chithode, Erode District.

2. The Executive Officer,
Chithode Town Panchayat,
Chithode, Erode District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, for issuance of Writ of Mandamus, directing the first respondent to consider the petitioner's application, dated 02.11.2015 for electricity connection and to effect electricity connection to the petitioner for his premises in Door No.180, Assessment No.2030 in Resurvey No.18/2, Ward No.14, Nadupalayam, Chithode Village and Town Panchayat, without insisting for no objection certificate from the second respondent.

For Petitioner : Mr.S.Kaithamalaikumaran

For Respondent-1 : Mr.S.K.Raameshuwar
Standing Counsel

For Respondent-2 : Mr.R.Rajeswaran
Special Government Pleader

O R D E R

Heard Mr.S.Kaithamalaikumaran, learned counsel appearing for the petitioner and Mr.S.K.Raameshuwar, learned Standing Counsel, accepting notice for first respondent, and Mr.R.Rajeswaran, learned Special Government Pleader, accepting

notice for second respondent. With the consent of parties, the main Writ Petition is taken for disposal at the stage of admission.

2. The petitioner has filed this Writ Petition praying for issuance of a writ of mandamus to direct the first respondent to consider the petitioner's application, dated 02.11.2015, to provide electricity service connection for his premises, bearing Door.No.180, Assessment No.2030 in Resurvey No.18/2, Ward No.14, Nadupalayam, Chithode Village and Town Panchayat, without insisting for no objection certificate from the second respondent.

3. According to the petitioner, he has fully complied with all formalities and his application was considered, and necessary charges have been remitted on 01.12.2015, and the first respondent has also erected the transformer and drawn lines till the petitioner's property. The petitioner grievance is that the transformer erected, has not been energized, for the reasons best known to the first respondent. Therefore, the petitioner submitted a representation, dated 06.04.2016. According to the petitioner, on account of certain issues raised by the second respondent, now the petitioner has been unreasonably dealt with and service connection is not being energized.

4. In the light of the above, there will be a direction to the first respondent to verify all the facts, and, if the petitioner has complied with all the conditions, then, there can be no justification on the part of the first respondent to refuse to energize the transformer so as to provide electricity service connection to the petitioner's premises. However, if there are any legal embargo, then, the petitioner should be informed as to why the first respondent is refusing to energize the transformer. The above direction be complied with by the first respondent within a period of two weeks from the date of receipt of a copy of this order, after notice to the petitioner.

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

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

sd

To

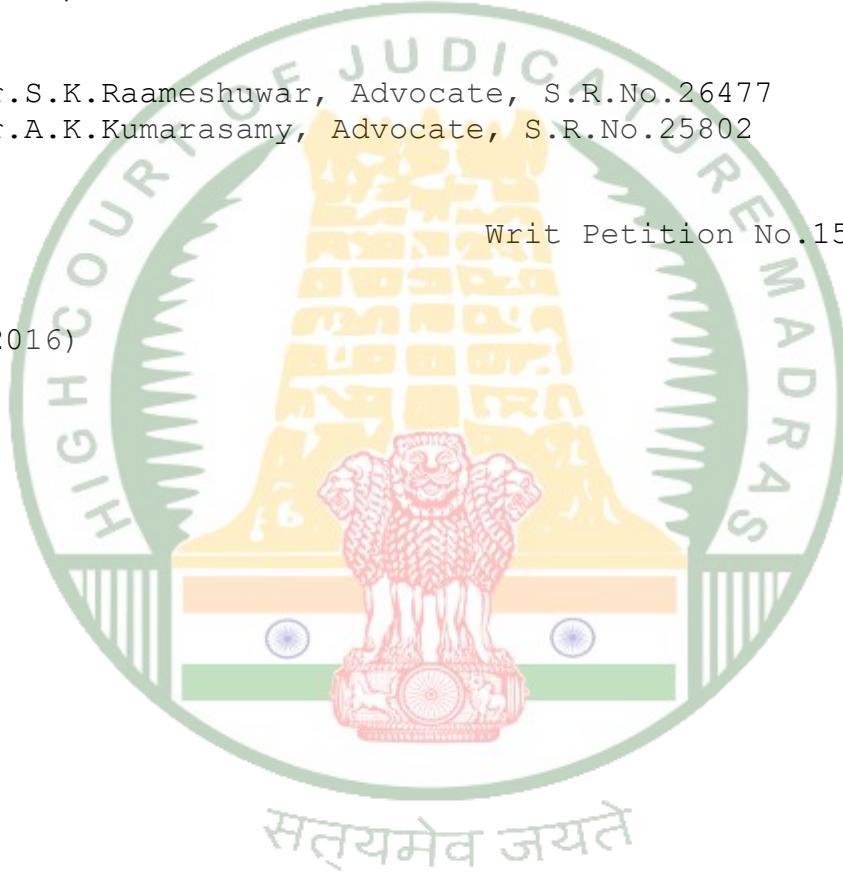
1. The Assistant Engineer,
Operation & Maintenance,
Tamil Nadu Generation and Distribution Contribution Ltd.,
Erode Electricity Distribution Circle (West)
Chithode, Erode District.
2. The Executive Officer,
Chithode Town Panchayat,
Chithode, Erode District.

+1cc to Mr.S.K.Raameshuwar, Advocate, S.R.No.26477

+1cc to Mr.A.K.Kumarasamy, Advocate, S.R.No.25802

Writ Petition No.15606 of 2016

TEJ(CO)
CA(29/04/2016)



WEB COPY