

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.04.2016

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.NO.15764 OF 2016

Murungai Village Panchayat

Rep. By its President Tmt. Selvi Sankar

Panchayat Office Building

Nemili Union, Arakonam Taluk,

Vellore District.

.. Petitioner

Versus

1.Government of Tamil Nadu

Rep. By its Secretary

Electricity Department

Fort St. George, Chennai.

2.Assistant Engineer (O&M)

Tamil Nadu Electricity Department

Arakonam.

3.District Collector

Vellore District,

Vellore.

4.Tahsildar

Arakkonam Taluk,

Arakkonam.

.. Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus, directing the second respondent to pass orders on the petitioner's representation dated 28.03.2016 by giving electricity connection to the Village Panchayat borewell situate at Survey No.6 in Murungai Village, Arakonam Taluk as recommended by the fourth respondent's letter No.Na.Ka.Aa2:1505:2016 dated 28.03.2016.

For Petitioner :

Ms.S.Harinyi

for M/s.Giridhar and Sai

For Respondents :

Mr.J.Balagopal

Additional Government Pleader

O R D E R

Heard Ms.S.Harinyi, learned counsel for M/s.Giridhar and Sai, learned counsel appearing for the petitioner and Mr.J.Balagopal, learned Additional Government Pleader, accepting notice on behalf of the respondents. With the consent of the learned counsel appearing on either side, the writ petition is taken up for final disposal, at the admission stage itself.

2.The petitioner has filed this writ petition seeking for a direction to the second respondent, to pass orders on the petitioner's representation dated 28.03.2016, by giving electricity connection to the Village Panchayat bore well situated at Survey No.6, Murungai Village, Arakonam Taluk, Vellore District, as recommended by the fourth respondent, vide letter No.Na.Ka.Aa2:1505:2016 dated 28.03.2016.

3.The petitioner is a Village Panchayat represented by its President and they have approached this Court for a direction to the second respondent to consider their representation dated 28.03.2016 to enable the Panchayat to obtain electricity service connection for the bore well, which has been installed in the Panchayat land.

4.It appears that there are certain encroachers, who have objected to the grant of electricity service connection. It is not known as to what vested right the encroachers could have, especially when the Panchayat has established the bore well for the welfare of the public and seeks for electricity service connection.

5.In fact, earlier, the petitioner had moved this Court, along with one person, by name, Ekambaram, by filing W.P.No.14970 of 2013, wherein they sought for issuance of writ of mandamus, to direct the District Collector, Vellore, to consider their representation and evict the encroachers from the land, classified as Kuttai, in S.No.9 and the Government Thope Poramboke in Survey Nos.6 and 135 respectively, in Murungai Village, Arakonam Taluk, Vellore District, within a time frame. The encroacher was impleaded as fifth respondent in the said writ petition and after hearing the parties, the Honourable Division Bench of this Court, by order dated 01.10.2013, directed the District Collector, Vellore, to dispose of the petitioners, representation dated 30.01.2013, on merits and in accordance with law, within a time frame. It appears that the District Administration is slow in taking any action in this regard, for the reasons best known to them. However, one redeemable feature is there, since the Tahsilar, Arakkonam Taluk, has addressed the second respondent, by proceedings dated

28.03.2016, to consider the plea made by the petitioner Panchayat.

6.In the light of the above, the second respondent is directed to consider the petitioner's representation dated 28.03.2016 for grant of electricity service connection for the public bore well and pass orders, on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. No costs.

Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

TK

To

- 1.The Secretary to Government
Government of Tamil Nadu
Electricity Department
Fort St. George, Chennai.
- 2.Assistant Engineer (O&M)
Tamil Nadu Electricity Department
Arakonam.
- 3.District Collector
Vellore District,
Vellore.
- 4.Tahsildar
Arakkonam Taluk,
Arakkonam.

1 cc to Mr.M.Varunkumar (TNEB), Advocate, sr.26564
1 cc to M/s.Giridhar & Sai, Advocates, sr.26532

ca co
kra 02.06.2016

W.P.NO.15764 OF 2016