

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.06.2016

CORAM

THE HONOURABLE MR. JUSTICE N.KIRUBAKARAN

W.P.No.2696 of 2015

K.Samiyappa Gounder

... Petitioner

Vs.

1. The Executive Engineer (O&M),
Tamil Nadu Generation and Electricity
Distribution Corporation Ltd.,
Tamil Nadu Electricity Board,
Tiruppur Electricity Distribution Circle,
Kangayam, Tiruppur District.
2. The Assistant Engineer (O&M),
Tamil Nadu Generation and Electricity
Distribution Corporation Ltd.,
Tamil Nadu Electricity Board,
Nall Road, Kangayam,
Tiruppur District.

... Respondents

Writ Petition filed under Article 226 of Constitution of India, praying for issuance of writ of mandamus, to direct the respondents to give electricity service connection for the petitioner's bore-well in S.No.368/2, situated at Nall Road Village, Kangayam Taluk, Tiruppur District to the extent of 2.75 acres of land as per seniority of Application Registration No.371/1998-99 dated 16.11.1998.

For Petitioner : Mr.C.Prakasam

For Respondents : Mr.S.K.Raameshuwar

ORDER

The petitioner has sought for a writ of mandamus directing the respondents to give electricity service connection to the petitioner's bore-well located in Survey No.368/2 situated at Nall Road Village, Kangayam Taluk, Tiruppur District, as per his application, dated 16.11.1998.

2. Though Mr.C.Prakasam, learned counsel appearing for the petitioner would submit that the petitioner has registered for agriculture service connection and he has shown his readiness from January 2011, so far, he has not been given connection, Mr.S.K.Raameshuwar, learned counsel appearing for the respondents, based on the records, would submit that even before the petitioner, two other parties entered their readiness on 30.12.2010 and three other parties entered their readiness on 31.12.2010 and therefore, after giving electricity connection to those persons, the petitioner will be given a chance.

3. The respondents filed a counter, wherein, the said statement was made. The relevant portions at Paras 4 and 5 of the counter affidavit are extracted hereunder:

"4. I submit that based on notice issued by TNEB to the petitioner, the petitioner has entered the readiness on 18.01.2011 and this second number is 51.

Out of the ready parties already forty five services are effected after completion of all extension work.

5. I submit that prior to petitioner 2 ready parties have entered the readiness on 30.12.2010 and 3 ready parties are entered the readiness on 31.12.2010. After effecting the service for the above parties, the Tamilnadu Electricity Board will execute the extension work to the petitioner and the service will be effected. The materials for Agriculture Services are issued with common circle seniority."

4. In view of the statement made by the learned counsel for the respondents, the respondents are directed to give electricity connection to the petitioner, after giving connection to those five persons, who have shown their readiness on 30.12.2010 and 31.12.2010.

5. With the above direction, this writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

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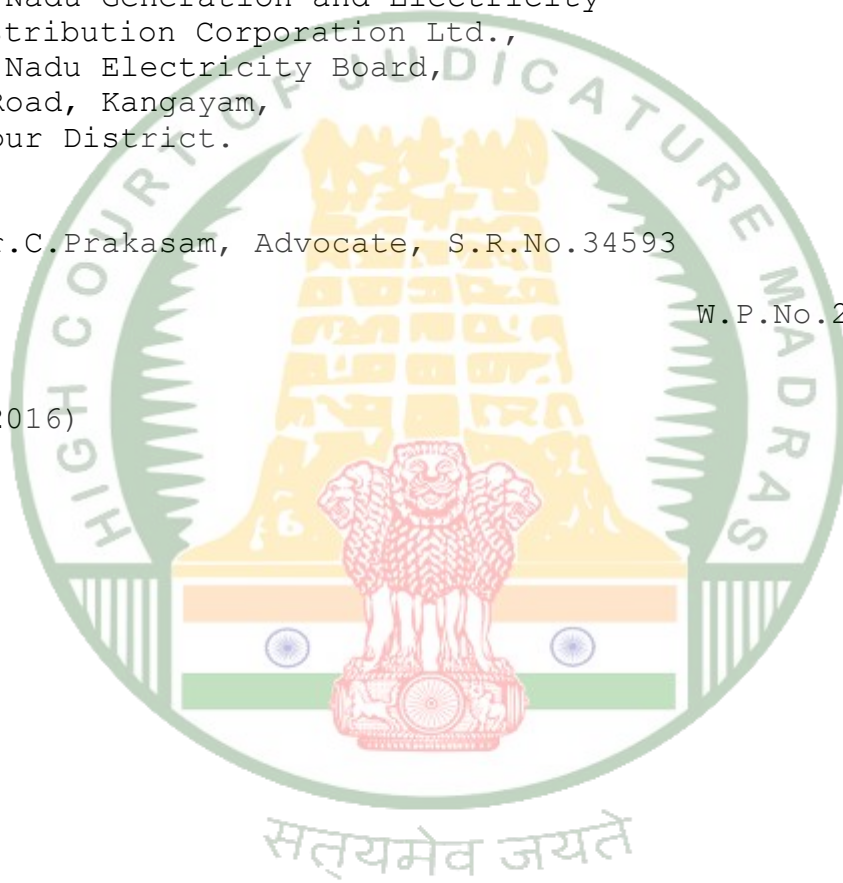
To

1. The Executive Engineer (O&M),
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Tamil Nadu Electricity Board,
Tiruppur Electricity Distribution Circle,
Kangayam, Tiruppur District.
2. The Assistant Engineer (O&M),
Tamil Nadu Generation and Electricity
Distribution Corporation Ltd.,
Tamil Nadu Electricity Board,
Nall Road, Kangayam,
Tiruppur District.

+1cc to Mr.C.Prakasam, Advocate, S.R.No.34593

W.P.No.2696 of 2015

NRJK(CO)
CA(21/07/2016)



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