

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.3.2016

CORAM

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

W.P.No.29513 of 2015

K.Thangavel

... Petitioner

Vs

1. The Executive Engineer
Distribution South No.17 Gandhi Road
T.N.E.B Erode Division Erode-1.
2. The Superintending Engineer
Tamilnadu Electricity Distribution Division
Tamilnadu Electrictiy Board Erode-1.
3. The Chairman
Tamilnadu Electricity Board Chennai.

... Respondents

This Writ Petition filed under Article 226 of the Constitution of India praying this Court to issue a writ of Mandamus directing the 1st respondent to sanction electricity connection to the petitioner land in accordance with the relevant regulations on the basis of the application of the petitioner dated 01.12.2006 immediately.

For Petitioner : Mr.R.Chellappa

For R1 to R3 : Mr.S.K.Rameshwar

O R D E R

The petitioner seeks for the issuance of the writ of mandamus to direct the first respondent to sanction electricity connection to the petitioner's land in accordance with the relevant regulations on the basis of the application of the petitioner dated 01.12.2006.

2. As per the stand taken by respondents in their counter affidavit, unless and until, the petitioner produced the No Objection Certificate from the District Revenue Officer, the application cannot be processed.

3. The learned counsel for the petitioner would submit that the petitioner has purchased a property from a Scheduled Caste community person and the petitioner also belongs to Scheduled Caste and as there is no bar for such sale and therefore, No Objection Certificate is not required.

4. The learned counsel for the petitioner would further submit that the reason for insisting upon the No Objection Certificate may be communicated to him so as to enable him to work out the remedy in the manner known to law.

5. In the light of the above, there will be a direction to the first respondent to communicate the reason as to why the petitioner cannot be granted electricity service connection and along with the reply, the first respondent shall also forward the copies of proceedings of the Special Secretary and Commissioner of Land Reforms and other authorities. The above direction shall be completed within a period of four weeks from the date of receipt of a copy of this order.

6. Writ petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

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To

1. The Executive Engineer
Distribution South No.17 Gandhi Road
T.N.E.B Erode Division Erode-1.
2. The Superintending Engineer
Tamilnadu Electricity Distribution Division
Tamilnadu Electricity Board Erode-1.
3. The Chairman
Tamilnadu Electricity Board Chennai.

+1cc to Mr.R.Chellappa, Advocate, S.R.No.14069

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SAI (CO)
CA(17/03/2016)