

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.01.2016

CORAM

THE HONOURABLE MR. JUSTICE T.S.SIVAGNANAM

W.P. No.477 of 2016 &
W.M.P.No.326 of 2016

S.Pattammal

... PETITIONER

Vs

1. The Divisional Engineer,
Operation & Maintenance,
TANGEDCO,
Kandamangalam,
Villupuram Taluk.
2. The Executive Engineer,
Operation & Maintenance,
TANGEDCO,
Kandamangalam,
Villupuram Taluk.
3. The Junior Engineer,
TANGEDCO,Valanur,
Villupuram Taluk.

... RESPONDENTS

PRAYER : Petition filed Under Article 226 of the Constitution of India praying to issue Writ of Certiorarified Mandamus, calling for the records of the second respondent in his proceedings in க.எண்.செ.பொ/இ & ப/கண்ட/கோ.வநோ/ அ எண் 134/2015 நாள் 14.10.2015 and quash the same and thereby direct the respondents to grant the petitioner agricultural service connection in respect of petitioner's lands situate at Survey No.105B-31 hares at Kallipattu Village, Villupuram Taluk.

For Petitioner : Mr.N.Suresh

For Respondents : Mr.M.Varun Kumar

O R D E R

Heard Mr.N.Suresh, learned Counsel appearing for the petitioner and Mr.M.Varun Kumar, learned counsel accepting notice for the respondents and with their consent the Writ Petition is taken up for final disposal.

2.The petitioner has filed this Writ Petition challenging the order passed by the second respondent dated 14.10.2015, by which the petitioner's representation was rejected, wherein the petitioner sought for grant of electricity service connection.

3.Earlier the petitioner approached this Court and filed a Writ Petition in W.P.No.7115 of 2014, to direct the respondent Board to grant agricultural service connection for her land in Survey No.105B, Killipattu Village, Villupuram Taluk, measuring 31 ares. The said writ petition was disposed of on 07.09.2015. Thereafter, the respondent Board has considered the matter and passed the impugned order.

4.Perusal of the impugned order clearly reveals that there is no application submitted by the petitioner for grant of electricity service connection.

5.Faced with this factual situation, the learned counsel for the petitioner submitted the application dated 26.4.1997 was sent by 'Registered Post', which was received by the third respondent on 3.5.1997.

6.As rightly submitted by the learned Standing Counsel appearing for the respondent Board, the application could not have been submitted by Registered Post, as there is a fee payable by the applicant to the respondent Board. Therefore, even assuming that the petitioner has sent the application by registered post, it is not a valid application, in the eye of law. Therefore, the respondent Board was justified in passing the impugned order.

7.Hence, no grounds have been made out to interfere with the impugned order. Accordingly, the Writ Petition fails and the same is dismissed. However, the dismissal of the writ petition will not prevent the petitioner from filing a fresh application complying with all formalities and remitting the necessary fee,

for getting the agricultural service connection. No costs.
Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

rpa

To

1. The Divisional Engineer,
Operation & Maintenance,
TANGEDCO,
Kandamangalam,
Villupuram Taluk.
2. The Executive Engineer,
Operation & Maintenance,
TANGEDCO,
Kandamangalam,
Villupuram Taluk.
3. The Junior Engineer,
TANGEDCO,Valanur,
Villupuram Taluk.

+1cc to Mr.M.Varun Kumar, Advocate, S.R.No.1609
+1cc to M/s.N.Suresh, Advocate, S.R.No.1743 (19.05.2016)

W.P. No.477 of 2016

GR(CO)
CA(25/01/2016)

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