



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.01.2016

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE **K.RAVICHANDRABAABU**

W.P(MD)No.15104 of 2015
and M.P. (MD) No. 1 of 2015

Sivaperumal

... Petitioner

Vs.

1.The Junior Engineer,
Distribution/Urban, TANGEDCO,
Shanthi Nagar,
Palayamkottai,
Tirunelveli.

2.The Executive Officer,
Arulmigu Venkatachalapathi Temple,
Thimmarajapuram,
Tirunelveli District.

... Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of mandamus directing the first respondent to give electricity supply to the petitioner's house in Door No.7/10-A, Muppudathi Amman Kovil Street, Thimmarajapuram, Palayamkottai, Tirunelveli without insisting NOC to be obtained from the second respondent within the prescribed time limit that may be stipulated by this Court.

For Petitioner : Mr.M.S.Jeyakarthik
For R1 : MrG.Kasinathadurai

ORDER

The petitioner seeks for a mandamus directing the first respondent to give electricity supply to the petitioner's house in Door No.7/10-A, Muppudathi Amman Kovil Street, Thimmarajapuram, Palayamkottai, Tirunelveli without insisting NOC to be obtained from the second respondent within the prescribed time limit that may be stipulated by this Court.

2.The learned counsel appearing for both sides fairly submitted that the issue involved in this case is covered by the earlier order passed by this Court in W.P.(MD) No.17667 of 2014 etc dated 03.11.2014 wherein at paragraph Nos. 21 and 22, it has been held as follows:

21.Be that as it may, in view of the fact that the petitioners are only seeking a relief from the hands of this Court in passing of an order by directing the first respondent to provide electricity supply to the petitioners' houses at Thimmarajapuram, Tirunelveli District without insisting No Objection Certificate to be obtained from the second respondent, this Court, taking note of an individual's right to lead a life with dignity in the interest of fair play, good conscience and even as a matter of prudence, directs the



petitioners to enclose a copy of the application dated 13.09.2014 together with all requisite enclosures like, family card, nativity certificate, documents (copy of Sale Deed as proof of his purchase etc.) and various Court orders, which they rely upon in their favour seeking supply of Electricity, within a period of two weeks from the date of receipt of copy of this order. Further, on receipt of such application being made, the first respondent is directed to consider the petitioners' application dated 13.09.2014 seeking supply of electricity to their residential houses, in a Just, Fair and Objective and Dispassionate manner and to pass a reasoned speaking order on merits (by specifying the outline of process of reasoning with quantitative and qualitative details) in the light of the ingredients of the Electricity Act, 2003, Tamil Nadu Electricity Supply Code, 2004 and also bearing in mind the tenor and spirit of the decisions cited supra by this Court, within a period of eight weeks thereafter.

22. With the aforesaid observations and directions, the Writ Petitions are disposed of"

3. In view of the fact that such order was passed in respect of the very same temple and the Executive Officer of the said temple was shown as the second respondent in both writ petitions, this Writ Petition is also disposed of in the light of the order already passed, which is extracted supra. No costs. The first respondent will pass such an order within a period of eight weeks from the date of receipt of copy of this order. Consequently, connected M.P. is closed.

Sd/-

Assistant Registrar(AE)

/True copy/

Sub Assistant Registrar

CM

To

1. The Junior Engineer, Distribution/Urban, TANGEDCO, Shanthi Nagar, Palayamkottai, Tirunelveli.

2. The Executive Officer, Arulmigu Venkatachalapathi Temple, Thimmarajapuram, Tirunelveli District.

+one cc to M/s. M.S. JEYAKARTHIK, Advocate in SR.No.1671

CM

CSL/NGM-SS/SAR-II/20.01.2016/2P/4C

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