



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :05.07.2016

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P. (MD) No.11885 of 2016

A.Therasammal

... Petitioners

Vs.

1.The Assistant Engineer (Operation and Maintenance),  
TANGEDCO, Thondaiman Nallur Post,  
Kulathur Taluk, Pudukkottai District.

2.The District Collector,Trichy.

3.The Tahsildar, Thiruvarambur Taluk,  
Trichy District.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the first respondent to consider the petitioner's representation, dated 17.05.2016 thereby give electricity service connection to the petitioner's house situated in S.F.No.731 of Seppulanthoppu, T.Nallur, Kolathur Taluk, Pudukkottai District at once.

For Petitioner

...Mr.P.Ganapathi Subramanian

For 1<sup>st</sup> Respondent

...Mrs.S.Srimathy

Standing Counsel for TANGEDCO

For 2<sup>nd</sup> & 3<sup>rd</sup> Respondents

... Mr.M.Murugan,

Government Advocate

#### O R D E R

The petitioner Mrs.A.Therasammal has filed this Writ Petition seeking for issuance of a Writ of Mandamus directing the first respondent to consider the petitioner's representation, dated 17.05.2016 and to give electricity service connection to the petitioner's house situated in S.F.No.731 of Seppulanthoppu, T.Nallur, Kolathur Taluk, Pudukkottai District at once.

2.Heard the learned counsel appearing for the petitioner, the learned Standing Counsel for TANGEDCO appearing for the first respondent and the learned Government Advocate appearing for the respondent Nos.2 and 3.



3. The petitioner is said to be in possession and enjoyment of the house situated in S.F.No.731 of Seppulanthoppu, T.Nallur, Kolathur Taluk, Pudukkottai District, which is classified as Poramboke. According to the petitioner, some of the residents of the nearby area obtained electricity connection on the basis of the 'no objection' certificate issued by the local Tahsildar. Even though the petitioner submitted application for giving electricity connection, the first respondent refused to receive the same. This made the petitioner to file this writ petition.

4. The learned Government Advocate on instruction submitted that the Tahsildar is prepared to give 'no objection' certificate for the purpose of giving electricity connection to the residence of the petitioner, in case she submits an affidavit of undertaking to vacate the property whenever notice is issued to that effect by the Government.

5. The learned Standing Counsel for the Tamil Nadu Generation and Distribution Corporation Limited submitted that the 1<sup>st</sup> respondent is prepared to provide electricity connection to the petitioner, in case 'no objection' certificate is obtained from the Tahsildar.

6. The learned counsel for the petitioner submitted that the petitioner is prepared to execute an affidavit before the Tahsildar to the effect that she will vacate the property in the event Government requires the land.

7. In view of the above, the petitioner is directed to approach the Tahsildar, Thiruvarambur, to execute an undertaking affidavit to the effect that she will vacate the property in the event Government requires the land, for the purpose of obtaining 'no objection' certificate for electricity connection. In case the petitioner gives any such undertaking to vacate the property, necessarily 'no objection' certificate should be given by the Tahsildar, Thiruvarambur, within two weeks from the date of receipt of such undertaking. Similarly, in the event of producing 'no objection' certificate by the petitioner before the first respondent, the application for electricity connection should be considered and disposed of within a period of two weeks from the date of receipt of application.

8. The Writ Petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar (AE)

/True Copy/



pm

To:

1 The Assistant Engineer (Operation and Maintenance),  
TANGEDCO, Thondaiman Nallur Post,  
Kulathur Taluk, Pudukkottai District.

2. The District Collector, Trichy.

3. The Tahsildar, Thiruvarambur Taluk, Trichy District.

+1CC to Spl. Government Pleader Sr.No.35016

GJM/PEK/19.7.16-3p-5c

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**05.07.2016**