

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 20.7.2016

CORAM:

THE HON'BLE MR.JUSTICE T.RAJA

W.P. (MD) .No.12678 of 2016

S.Mohan

.. Petitioner

Vs.

1.The District Collector,
Pudukottai District.

2.The Tashildar,
Kulathur, Pudukottai District.

3.The Assistant Engineer, (Operation and Maintenance)
Tamil Nadu Generation and Distribution
Corporation Limited,
Mathur Post, Kulathur Taluk,
Pudukkottai.

.. Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 3rd respondent to give electricity service connection to the petitioner house comprised in S.F.No.206/2 of Mattur Village, Kulathur Taluk, Pudukottai District.

For Petitioner : Mr.P.Ganapathi Subramanian

For 1&2 : Mr.M.Murugan

Government Advocate

For 3 : Mrs.Srimathy
Standing Counsel for TANGEDCO

ORDER

This writ petition has been filed for providing electricity connection to the petitioner herein.

2. The petitioner is said to be in possession and enjoyment of the house situated in S.F.No.206/2 of Mattur Village, Pudukottai District. According to him, he has made a representation on 27.03.2016 to the third respondent herein seeking electricity service connection. Since the same has not been considered, the petitioner is before this Court.



3. Learned counsel for the petitioner submitted that in similar circumstances, this Court has already considered the issue involved in the Writ Petition in W.P.(MD).No.3769 of 2013 with certain conditions. He further submitted that the petitioner would be satisfied, if a similar direction is given to this petitioner also.

4. The relevant portion found in the said Writ Petition in W.P.(MD).No.3769 of 2013 dated 15.04.2013, is usefully extracted below:-

"3. The learned Additional Government Pleader on instruction submitted that the Tahsildar is prepared to give 'no objection' certificate for the purpose of taking electricity connection to the residence of the petitioners, in case they submit individual affidavits, undertaking to vacate the property whenever notice is issued to that effect by the Government.

4. The learned Standing Counsel for the Tamil Nadu Generation and Distribution Corporation Limited submitted that they are prepared to provide electricity connection to the petitioners, in case 'no objection' certificate is obtained from the Tahsildar.

5. The learned counsel for the petitioners submitted that the petitioners are prepared to execute an affidavit before the Tahsildar concerned to the effect that they will vacate the property in the event the Government requires the lands.

6. The petitioners are directed to approach the Tahsildar, Kulathur to execute an undertaking affidavit to the effect that they will vacate the property in the event of Government requires the lands, for the purpose of obtaining 'no objection' certificates for electricity connection. In case the petitioners give any such undertaking to vacate the property, necessarily 'no objection' certificate should be given by the Tahsildar, Kulathur within two weeks from the date of receipt of such undertaking. Similarly, in the event of producing 'no objection' certificates by the petitioners before the second 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."

6. Following the afore-said order, I have also passed an order in a batch of Writ Petitions (MD).Nos.12489 to 12494 of 2016, dated 15.07.2016, therefore, this Writ Petition is also disposed of, with a direction to the petitioner to comply with the conditions imposed in W.P.(MD).No.3769 of 2013 15.04.2013, whereupon, the third respondent is directed to provide electricity connection to the petitioners also.



7. The Writ Petition is disposed of, with the above directions. No costs.

Sd/-
Assistant Registrar

/True copy/

WEB COPY

Sub Assistant Registrar

To

1.The District Collector,
Pudukottai District.

2.The Tashildar,
Kulathur, Pudukottai District.

3.The Assistant Engineer, (Operation and Maintenance)
Tamil Nadu Generation and Distribution
Corporation Limited,
Mathur Post, Kulathur Taluk, Pudukkottai.

+1 CC to Mr.P.GANAPATHI SUBRAMANIAN, Advocate, SR No.38787

+1 CC to THE SPECIAL GOVERNMENT PLEADER, SR No.38414

W.P(MD)No.12678 of 2016
20.7.2016

ssm

SH/SKS-RR:28.07.2016:3P/6C