



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.7.2016

CORAM:

THE HON'BLE MR.JUSTICE T.RAJA

W.P. (MD) Nos.13073 and 13074 of 2016

R.Kannan ... Petitioner in W.P. (MD) .No.13073/2016
A.Mohanammal ... Petitioner in W.P. (MD) .No.13074/2016

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

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

For Petitioners : Mr.P.Ganapathi Subramanian
For 1&2 : Mr.M.Murugan
Government Advocate
For 3 : Mrs.Srimathy
Standing Counsel for TANGEDCO

COMMON ORDER

The writ petitions have been filed for providing electricity connection to the petitioners herein.

2. Since the issue involved in both the Writ Petitions is one and the same, they are taken up together and disposed of, by this common order.

3. The petitioners are said to be in possession and enjoyment of the houses situated in S.F.No.206/2 of Mattur Village, Kulathur Taluk, Pudukkottai District. According to the petitioners, they have made individual representation on 27.03.2016 to the third respondent herein seeking electricity service connection. Since



the same has not been considered, the petitioners are before this Court.

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

5. 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 the second respondent is 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."

<https://hcservices.ecourts.gov.in/hcservices/>

6. Following the afore-said order, the Writ Petitions are disposed of, with a direction to the petitioners herein to comply



with the conditions imposed in W.P.(MD).No.3769 of 2013, 15.04.2013, whereupon, the respondents are directed to provide electricity connection to the petitioners also.

7. The Writ Petitions are disposed of, with the above directions. No costs.

Sd/-

Assistant Registrar (CS-I)

/True 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.

+2cc to Mr.P.GANAPATHI SUUBRAMANIAN, Advocate Sr.No.39600, 39601

+1cc to Spl.Government Pleader Sr.No.39737, 39736

SSM

AA/SKS-RR/08.08.2016/3p-7c

WRIT PETITION (MD) Nos.13073 and 13074 of 2016
26.07.2016