



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.10.2016

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

W.P. (MD) No.19361 of 2016  
and  
W.M.P. (MD) No.13959 of 2016

A.Mariaselvam : Petitioner

Vs.

1. The Executive Engineer,  
(Operation and Maintenance),  
TANGEDCO, Thennur,  
Trichy - 17.

2. The Assistant Executive Engineer,  
(Operation and Maintenance),  
TANGEDCO, Vannankovil,  
Navaloor Kuttapattu,  
Trichy.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents herein to provide electricity service connection to the petitioner house bearing Door No.5/117, Bharathi Nagar, N.Kuttapattu, Trichy on the basis of the petitioner representation dated 07.07.2016.

For Petitioner : Mr.B.Jameel Arasu

For Respondents : Mr.S.M.S.Johny Basha

O R D E R

The Writ Petition has been filed by the petitioner for issuance of a Writ of Mandamus, directing the respondents herein to provide electricity service connection to the petitioner house bearing Door No.5/117, Bharathi Nagar, N.Kuttapattu, Trichy on the basis of the petitioner's representation dated 07.07.2016.

2.Heard, Mr.B.Jameel Arasu, learned counsel appearing for the petitioner as well as Mr.S.M.S.Johny Basha, learned counsel appearing for the respondents.



3. Mr.S.M.S.Johny Basha, takes notice for the respondents. By consent, the Writ petition itself is taken up for final disposal.

4. On 07.07.2016, the petitioner has sent a representation to the respondents, for providing electricity supply connection to his house in the above said address and the same is pending. Hence, the petitioner filed the present Writ petition seeking the above prayer.

5. Further, the learned counsel for the petitioner has produced an order passed by this Court in **W.P.No.17608 of 2013, dated 27.09.2013**, in paragraph No.87, it is stated as follows:-

" It is the fundamental duty of the respondents to show compassion to those who are living in huts and tenements for long number of years, taking into consideration their socio-economic disabilities, without electricity supply for many years. Preamble to the Constitution of India guarantees right of every person to justice, social, economic and political. When socio and economic justice is the mandate of the Constitution of India, it is a traversity of justice to deny electricity to the petitioners. Income is one of the sources for achieving an egalitarian society and it is the fundamental right to decent living. Providing electricity to the poor, subject to the satisfying conditions, as per the electricity laws, would reduce the economic imbalance and help the under privileged. The authorities should be pragmatic and realistic to the constitutional goals. The weaker sections and under privileged do not crave, in their heart, for power in hierarchical positions, they only want electric power to have "lighting" in their house. Hut dwellers cannot expect and afford luxury. But for them, it is only a basic amenity. Electricity supply should, not only be extended to pattadars or



WEB COPY

the owners of lands, but it should also be extended to the poor and the needy, who live in government poramboke lands, when they substantiate occupation, for a considerable period."

6. Considering the facts and circumstances of this case, the respondents are directed to consider the case of the petitioner and provide electricity connection, based on his application along with the necessary undertaking and Indemnity Bond to be submitted by the petitioner. The said exercise shall be completed within a period of four weeks from the date of receipt of a copy of this order.

7. The Writ petition is disposed of accordingly. No costs. Consequently, connected Miscellaneous petition is closed.

Sd/-

Assistant Registrar(P&A)

/True copy/

Sub Assistant Registrar

To

1. The Executive Engineer,  
(Operation and Maintenance),  
TANGEDCO, Thennur,  
Trichy - 17.
2. The Assistant Executive Engineer,  
(Operation and Maintenance),  
TANGEDCO, Vannankovil,  
Navaloor Kuttapattu,  
Trichy.

+1cc to Mr.B.Jamel Arasu, Advocate SR.No.60050

pmu

sm:PV:01/11/2016:3P/4C

ORDER MADE IN  
W.P (MD) No.19361 of 2016  
and  
W.M.P. (MD) No.13959 of 2016  
06.10.2016