

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.03.2017

CORAM

THE HON'BLE Mr. JUSTICE M.M.SUNDRESH

W.P.No.6471 of 2017
& WMP Nos.6977 & 6978 of 2017

N.G.Palanisamy

.. Petitioner

Vs.

1.The Executive Engineer,
Public Works Department,
Water Resources Organization,
Bhavanisagar Dam Division,
Bhavanisagar, Erode District.

2. The Assistant Executive Engineer,
Public Works Department,
Irrigation Sub Division,
Water Resources Organization,,
Gobichettipalayam,
Erode District.

3.The Executive Engineer (Urban),
Erode Electricity Distribution Circle,
Tamil Nadu Electricity Board,
Erode-638 009.

4.The Chairman,
Tamil Nadu Electricity Board,
800, Anna Salai, Chennai-600 003.

.. Respondents

Petition filed under Article 226 of The Constitution of India praying to issue a writ of certiorarified mandamus to call for the records relating to the impugned orders made in i) கடித எண்.வப/இவஅ.2/கோ.19B/42எம்/2017/நாள் 20/02/2017 and (ii) கடித எண்.கோ.40A/2017/நாள் 21/02/2017 P/ E Va A.2/ Koo.19(B)/ 42M/ 2017/ date 20.02.2017 and ii) Letter No.Koo.40A/ 2017/ date 21.02.2017 passed by the respondents 1 and 2 respectively, quash the same and consequently, direct the 3rd respondent to grant electricity service connection to the petitioner's bore well sunk in R.S. No.359/6 Perunthaliyur Village, Bhavani Taluk, Erode District, on the basis of NOC issued by the 1st respondent in கடித எண்.வப. இவஅ.2.கோ.19(B)/33எம்/2017/நாள் 14/02/2017.

For Petitioner .. Mr.N.Manokaran

For Respondents .. Mr.P.V.Senthilkumar,
Additional Government Pleader
for R1 & R2

Mr.S.K.Rameshwar for R3 & R4

ORDER

Mr.P.V.Selvakumar, learned Additional Govoernment Pleader takes notice for Respondents 1 and 2 and Mr.S.K.Rameshwar, learned Standing Counsel, takes notice for Respondents 3 and 4.

2. The grievance of the petitioner is that the No Objection Certificate given earlier was cancelled by respondents 1 and 2 without due process. A perusal of the orders impugned passed by respondents 1 and 2 would show that they have been passed without affording an opportunity to the petitioner. Admittedly, the said orders have got civil consequence. By the aforesaid orders No Objection Certificate issued earlier in favour of the petitioner was cancelled without assigning reasons.

3. In such view of the matter, the orders impugned have been set aside giving liberty to the first respondent to proceed afresh after affording an opportunity of being heard to the petitioner. In such an eventuality, the petitioner's objection will have be heard and speaking order is to be passed.

4. Accordingly, the writ petition stands allowed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Asst.Registrar

/true copy/

Sub Asst. Registrar

raa

To

1.The Executive Engineer,
Public Works Department,
Water Resources Organization,
Bhavanisagar Dam Division,
Bhavanisagar, Erode District.

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2. The Assistant Executive Engineer,
Public Works Department,
Irrigation Sub Division,
Water Resources Organization,,
Gobichettipalayam,
Erode District.

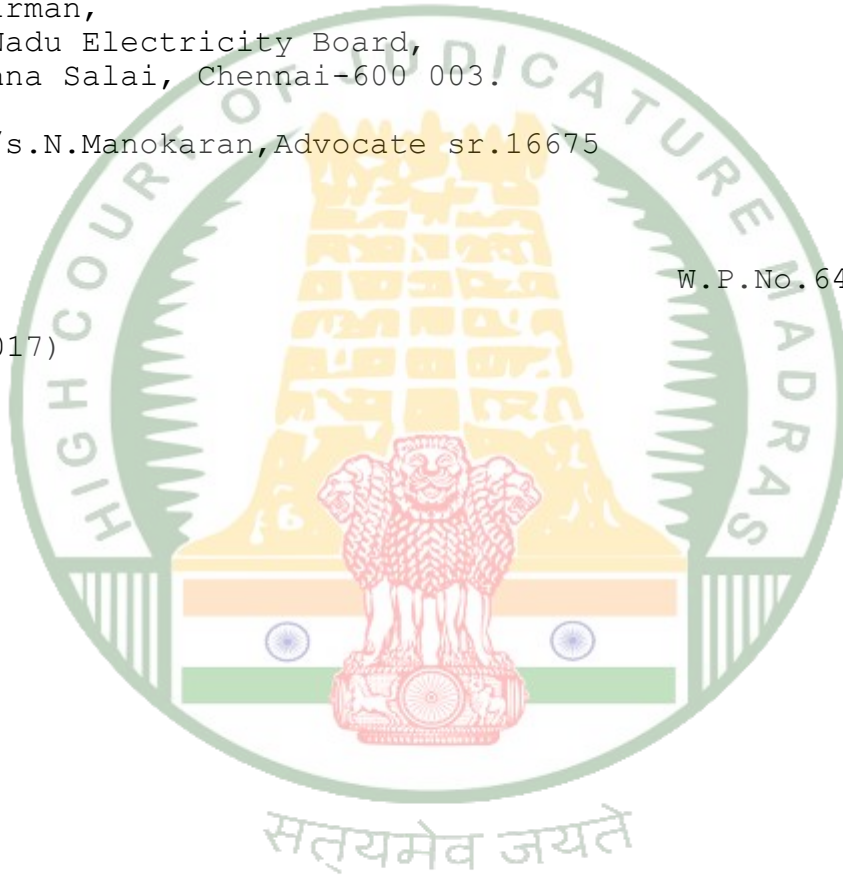
3.The Executive Engineer (Urban),
Erode Electricity Distribution Circle,
Tamil Nadu Electricity Board,
Erode-638 009.

4.The Chairman,
Tamil Nadu Electricity Board,
800, Anna Salai, Chennai-600 003.

+1cc to M/s.N.Manokaran,Advocate sr.16675

rsk(co)
ss(17/3/2017)

W.P.No.6471 of 2017



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