

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.04.2017

CORAM

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

W.P.No.28913 of 2015

C.Rajendran

...Petitioner

Vs.

1. The Tamil Nadu Electricity Board (TANGEDCO),
No.793, Electricity Avenue,
Anna Salai, Mount Road, Chennai - 2.
2. The Executive Engineer,
Tamil Nadu Generation and Distribution
Corporation Ltd.,
Coimbatore Electricity Distribution Circle (North)
Coimbatore District.
3. The Assistant Engineer,
Tamil Nadu Generation and Distribution
Corporation Ltd.,
Thayanur Village, Coimbatore District.
4. Kannappan

....Respondents

Prayer: This writ petition filed under Article 226 of the Constitution of India, to issue a writ particularly in the nature of a writ of Certiorarified Mandamus, directing the third respondent to call for the records pertaining to a letter dated 19.08.2015 and quash the same and consequently direct the respondents 1 to 3 to give three phase connection for petitioner Bore Well in petitioner's property situated at No.690/B2 at Kumarapalayam Village, Coimbatore District as per Revised Self Finance Scheme (RSFS) without insisting "No objection" from the 4th respondent.

For Petitioner : Mr.S.Arivazhagan
For Respondents : Mr.S.K.Rameshwar (For R1 to R3)
R4-Expired

ORDER

This writ petition has been filed for issuance of a writ of Certiorarified Mandamus, directing the third respondent to call for the records pertaining to a letter dated 19.08.2015 and quash the same and consequently direct the respondents 1 to 3 to

give three phase connection for petitioner Bore Well in petitioner property situated at No.690/B2 at Kumarapalayam Village, Coimbatore District as per Revised Self Finance Scheme (RSFS) without insisting "No objection" from the 4th respondent.

2.The petitioner sought for service connection to his bore well. The request of the petitioner was not considered presumably in view of the objection raised by the fourth respondent. Thus, by the impugned order, the petitioner was asked to get a consent letter from the fourth respondent.

3.From the records, it appears that the fourth respondent is no more. His objection was with reference to the usage of three phase LT line over his land to give service connection to the bore well of the petitioner. There is no dispute on fact that the petitioner is the owner of his land. The report of the Junior Engineer, TANGEDCO also would show that there is no alternative route available.

4.When the fourth respondent is no more, there is no question of getting "No Objection Certificate" from him nor there is no objection as of now. In such view of the matter, a direction is issued to the respondents 2 and 3 to effect service connection to the petitioner as sought for within a period of four weeks from the date of receipt of a copy of this order. It is nobody's case that the fourth respondent, if the service connection is given, would be inconvenienced.

5.With the above direction, the writ petition is disposed of. No costs.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

cse

To

1. The Tamil Nadu Electricity Board (TANGEDCO),
No.793, Electricity Avenue,
Anna Salai, Mount Road, Chennai - 2.
2. The Executive Engineer,
Tamil Nadu Generation and Distribution
Corporation Ltd.,
Coimbatore Electricity Distribution Circle (North)

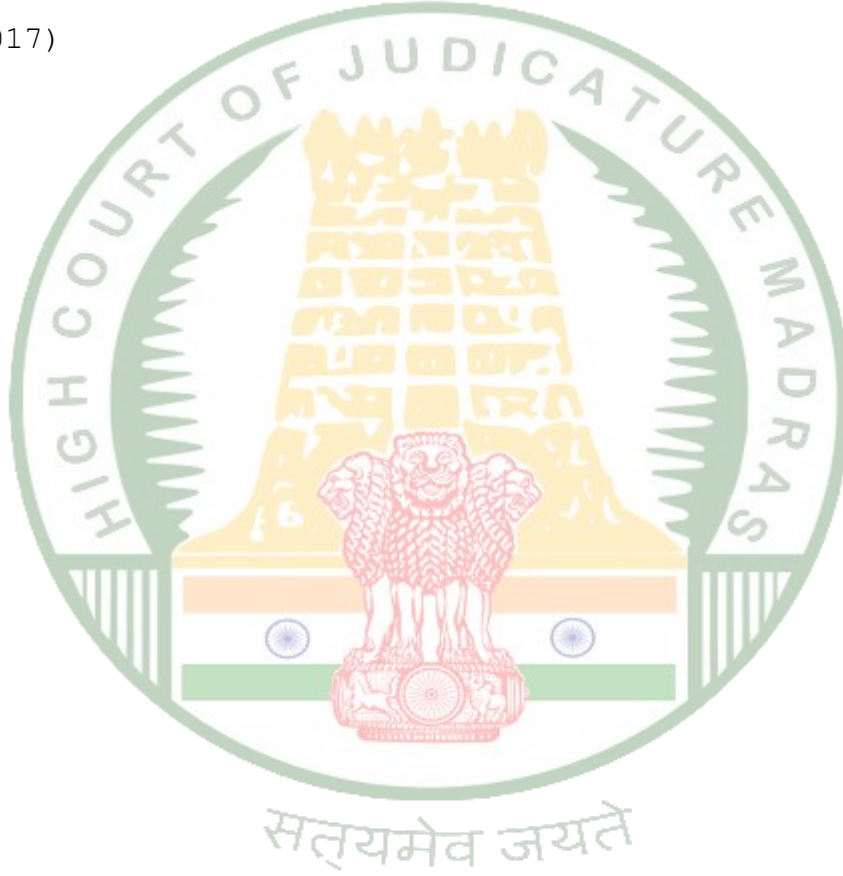
Coimbatore District.

3. The Assistant Engineer,
Tamil Nadu Generation and Distribution
Corporation Ltd.,
Thayanur Village, Coimbatore District.

+1cc to mr.S.K. Raameshuwar, Advocate Sr. 23702

W.P.No.28913 of 2015

SKV(CO)
VR(24/4/2017)



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