

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.06.2017

CORAM

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

W.P.No.34818 of 2016
and W.M.P.No.29976 of 2016

S.K.Selvarajan

..Petitioner

Vs.

1. Assistant Executive Engineer, O & M,
Tamil Nadu Electricity Generation and
Distribution Corporation Ltd. (TANGEDCO),
Sethiyathope, Chidambaram Taluk,
Cuddalore District.
2. Junior Engineer, O & M East,
TANGEDCO,
Sethiyathope, Bhuvanagiri Taluk,
Cuddalore District - 608 702.
3. The District Collector,
Cuddalore District,
Cuddalore.
4. The Tahsildar,
Bhuvanagiri Taluk,
Cuddalore District.

5.P.Ramalingam

..Respondents

Prayer: The writ petition filed under Article 226 of the Constitution of India, to issue a writ of Certiorarified Mandamus, calling for the records of the 2nd respondent in letter No.JEE/O&M/East/Sethiyathope/file/No.132/16-17 dated 22.08.2016 and consequential letter No.JEE/O&M/East, Sethiyathope/file/ A.No.135/16-17 dated 24.08.2016 to quash the same and direct the 2nd respondent to effect electricity service connection to the Bidari Amman Temple in its name situated at S.No.69/12 in Senninatham Village, Sethiyathope, Bhuvanagiri Taluk, Cuddalore District.

For Petitioner : Mr.P.P.Shanmugasundaram

For Respondents : Mr.M.Varun Kumar (For R1 and R2)
Mr.S.Diwakar
Special Government Pleader
(For R3 and R4)
Mr.B.Ramprabhu (For R5)

O R D E R

This writ petition has been filed for issuance of writ of Certiorarified Mandamus, calling for the records of the 2nd respondent in letter No.JEE/O&M/East/Sethiyathope/file/No.132/16-17 dated 22.08.2016 and consequential letter No.JEE/O&M/East, Sethiyathope/file/A.No.135/16-17 dated 24.08.2016 to quash the same and direct the 2nd respondent to effect electricity service connection to the Bidari Amman Temple in its name situated at S.No.69/12 in Senninatham Village, Sethiyathope, Bhuvanagiri Taluk, Cuddalore District.

2.By the impugned order the petitioner's request for service connection was rejected on the ground that no objection certificate has not been obtained.

3.Learned counsel appearing for the petitioner would submit that no objection certificate has already been obtained from the Tahsildar, Bhuvanagiri dated 05.08.2016. However, this factum has been overlooked.

4.Learned counsel appearing for the 5th respondent, who is an objector, would submit that so long as service connection has been obtained in the name of the temple, there is no difficulty.

5.Learned counsel appearing for the petitioner also agreed to the said suggestion. It is further submitted that the service connection is only meant for the temple.

6.Considering the above, the order impugned is set aside since it proceed on the wrong premise and consequently, a direction is issued to the second respondent to effect electricity service connection in the name of the Bidari Amman Temple within a period of eight weeks from the date of receipt of a copy of this order. It is made clear that this order will not stand in the way of the respondents 3 or 4 to take appropriate action for eviction, if they decide to do so.

In the result, this writ petition is allowed. No costs.
Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

cse

To

1. Assistant Executive Engineer, O & M,
Tamil Nadu Electricity Generation and
Distribution Corporation Ltd. (TANGEDCO),
Sethiyathope, Chidambaram Taluk,
Cuddalore District.
2. Junior Engineer, O & M East,
TANGEDCO,
Sethiyathope, Bhuvanagiri Taluk,
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Cuddalore District,
Cuddalore.
4. The Tahsildar,
Bhuvanagiri Taluk,
Cuddalore District.

+1cc to Mr.Ramprabu, Advocate Sr. 42248

+1cc to Mr.M.Varun Kumar, Advocate Sr. 42592

+1cc to Mr.P.P.Shanmugasundaram, Advocate Sr. 42311

+1cc to the Government Pleader Sr. 42762

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NR(CO)
VR(19/06/2017)