

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 12.07.2017****CORAM:****THE HONOURABLE MR.JUSTICE T.RAJA****W.P (MD) No.12430 of 2017**

V.Annadurai

... Petitioner

Vs.

1. The Superintending Engineer,
Tamil Nadu Electricity Generation and
Distribution Corporation Ltd.,
Thanjavur.
2. The Executive Engineer,
Operation & Maintenance,
Tamil Nadu Electricity Generation and
Distribution Corporation Ltd.,
Pattukottai,
Thanjavur District.
3. The Junior Engineer,
Tamil Nadu Electricity Generation and
Distribution Corporation Ltd.,
Alathur,
Pattukkottai Taluk,
Thanjavur District.

.. Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents to give Electricity Connection to the petitioner's natural manure manufacturing unit (Kisan Agri-Clinic and Agri Business Centre) situated at North Street, Alathur Village, Pattukkottai Taluk, Thanjavur District on the basis of the application dated 11.11.2016.

For Petitioner

: Mr.S.Rajaprabu

For Respondents

: Mrs.S.Srimathi for
Mr.S.M.S.Johny Basha for TNEB**O R D E R**

The petitioner has come up with this writ petition seeking a direction, directing the respondents to give Electricity Connection to his natural manure manufacturing unit (Kisan Agri-



Clinic and Agri Business Centre) situated at North Street, Alathur Village, Pattukkottai Taluk, Thanjavur District on the basis of the application dated 11.11.2016.

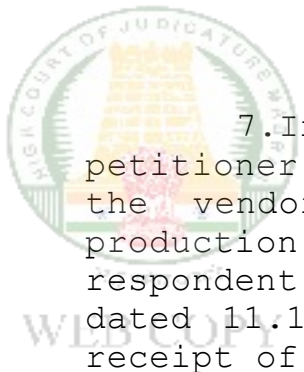
2. Heard Mr.S.Rajaprabu, learned counsel appearing for the petitioner and and Mrs.S.Srimathi for Mr.S.M.S.Johny Basha, learned counsel appearing for the respondents.

3. By consent of both sides, this writ petition itself is taken up for final disposal.

4. The petitioner is the owner of the land covered in Survey No.54A-7 at North Street, Alathur Village, Pattukkottai Taluk, Thanjavur District. After undergoing training conducted by National Institute of Agricultural Extension Management, which is an organization coming under the Ministry of Agriculture, Government of India, has issued with the certificate. Thereafter, he has started agriculture business at Alathur in the name of Kisan Agri-Clinic and Agri Business Centre. Therefore, he applied to the Department of Industries and Commerce, Government of Tamil Nadu, seeking permission to manufacture natural manure from coconut coir and also applied loan for the said purpose from the Indian Overseas Bank and the said loan was also sanctioned for setting up of the aforesaid manufacturing unit. Thereafter, he applied for electricity connection before the third respondent along with all relevant documents. The third respondent, in his communication dated 27.08.2016, asking him to rectify certain defects in the application, also raised a question that the place in which he has installed bore-well is not situated in the particular Survey No.54A-7. Since the bore-well is in Survey No.54A-8, they refused to give electricity service connection.

5. Denying the above stand taken by the respondents, the learned counsel appearing for the petitioner would submit that the land in Survey No.54A-8 has been purchased by the petitioner and now, both the lands covering Survey Nos.54A-7 and 54A-8 are belonging to the petitioner and the vendor of Survey No.54A-8 is also willing to give No Objection Certificate. Therefore, on production of the said No objection Certificate, the third respondent may be directed to give electricity connection as per rules, he pleaded.

6. The learned Standing counsel appearing for the respondents submitted that there is no relevant documents showing that the said land in Survey No.54A-8 belongs to the petitioner, which was produced before the third respondent and the third respondent is right in refusing to give electricity connection and prima facie the land is not belonging to the petitioner. However, if the petitioner has come forward with No Objection Certificate obtained from the vendor of land covered in Survey No.54A-8, the third respondent would consider the same.



7. In view of the said submissions, this Court directs the petitioner to produce the No Objection Certificate obtained from the vendor of the land covered in Survey No.54A-8 and on production of the said No objection Certificate, the third respondent is directed to consider the petitioner's application dated 11.11.2016 within a period of six weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar(CS-III)

/True Copy/

Sub Assistant Registrar

To

1. The Superintending Engineer,
Tamil Nadu Electricity Generation and
Distribution Corporation Ltd.,
Thanjavur.
2. The Executive Engineer,
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Pattukottai,
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3. The Junior Engineer,
Tamil Nadu Electricity Generation and
Distribution Corporation Ltd.,
Alathur,
Pattukkottai Taluk,
Thanjavur District.

+1 cc to Mr.S.Rajaprabhu, Advocate in SR.No.64857

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AE/MR KKR/SAR4/31.10.2017/3P/5C

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12.07.2017**