



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 12.07.2017

CORAM :

THE HONOURABLE MR.JUSTICE T.RAJA

W.P (MD) No.12823 of 2017

and

W.M.P. (MD) No.9919 of 2017

Eeswari

... Petitioner

vs.

1.The Superintending Engineer,
TANGEDCO, Ramanathapuram Distribution Circle,
Ramanathapuram, Ramanathapuram District.

2.The Executive Engineer (Distribution),
TANGEDCO, Paramakudi Division,
Paramakudi, Ramanathapuram District.

3.The Assistant Executive Engineer,
TANGEDCO, Paramakudi Division,
Paramakudi, Ramanathapuram District.

4.The Assistant Engineer,
TANGEDCO, Nainar Kovil,
Paramakudi, Ramanathapuram District.

5.Balammal

6.Rajalakshmi

7.Hari @ Harikrishnan

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent no.4 to provide electricity connection to the petitioner's dwelling house bearing Door no.1/8 situated in old S.No.266, New S.No.409/9 in Nainar Kovil @ Naganathasamuthiram Village, Vaniyavallam groups, Paramakudi circle, Nainar Kovil Registrar, Sivagangai registration district, Ramnad District within the time period stipulated by this Court.

For Petitioner

: Mr.T.Lajapathi Roy

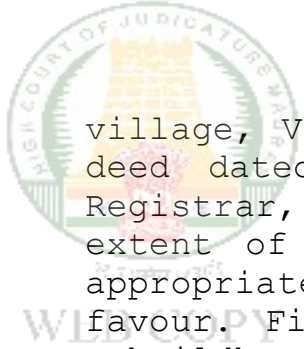
For Respondents 1 to 3

: Mr.E.P.Venkatesh Kumar

For S.M.S.Johny Basha

O R D E R

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



village, Vaniyavallam groups, Paramakudi circle by virtue of sale deed dated 17.02.2011 and 16.03.2011 on the file of the Sub Registrar, Nainar Kovil to an extent of 0.01.27 ares in the total extent of 0.01.90 ares, has moved the revenue authorities with appropriate application for mutation of all the records in his favour. Finally, patta has also been issued in his name by the Tahsildhar, Paramakudi, on 16.06.2012. Thereafter, the petitioner put up a tiled house in the said property and the said house has also been assessed for house tax. Therefore, he is paying the property tax continuously. While so, he has approached the Electricity Department seeking Electricity Service Connection to his house property. He was also issued with receipt Nos.1128111 and 1128102 for deposit of Rs.1,550/- and Rs.50/- respectively, to the 4th respondent for obtaining electricity service connection. Subsequently, on approval, the fourth respondent has also installed the electricity meter box.

4. At this stage, one suit was filed in O.S.No. 38 of 2012 on the file of Sub-Court, Paramakudi by the respondents 5 to 7, seeking declaration and permanent injunction. Though temporary injunction was given in the beginning, subsequently, by order, dated 24.04.2017, the suit was dismissed as withdrawn. Therefore, there is no impediment for the respondent Electricity Department to provide electricity service connection to the petitioner, since the wiring and electricity meter box were also erected in the petitioner's property. In spite of the above, the respondents did not come forward and hence, the petitioner is before this Court with the aforesaid prayer.

5.The learned counsel for the respondents Electricity Department, on instructions, would submit that sufficient time may be granted to the respondent Board to consider the request of the petitioner.

6.In view of the above, the 4th respondent is directed to give electricity service connection to the petitioner's house within one week from the date of receipt of copy of this order.

7. With the above direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

/True copy/

Sub Assistant Registrar



To

1. The Superintending Engineer,
TANGEDCO,
Ramanathapuram Distribution Circle,
Ramanathapuram,
Ramanathapuram District.
2. The Executive Engineer (Distribution),
TANGEDCO,
Paramakudi Division,
Paramakudi,
Ramanathapuram District.
3. The Assistant Executive Engineer,
TANGEDCO,
Paramakudi Division,
Paramakudi,
Ramanathapuram District.
4. The Assistant Engineer,
TANGEDCO,
Nainar Kovil,
Paramakudi,
Ramanathapuram District.

+1cc to Mr.S.M.S.Johnny Basha, Advocate, SR.64819

+1cc to Mr.T.Lajapathiroy, Advocate, SR.65052

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MRN/RR

KK/MR KKR/SAR2/23.08.2017-3P-7C