



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.12.2017

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE R. MAHADEVAN

W.P (MD) Nos.13937 to 13941 of 2017

and

W.M.P (MD) Nos.10885 to 10889 of 2017

V.Senthilkumar	... Petitioner in W.P (MD) No.13937/17
C.Kalyanasundaram	... Petitioner in W.P (MD) No.13938/17
R.Vasuki	... Petitioner in W.P (MD) No.13939/17
B.Elango	... Petitioner in W.P (MD) No.13940/17
M.Suthanthiraselvan	... Petitioner in W.P (MD) No.13941/17

Vs.

1. The Principal Secretary to
Government of Tamil Nadu,
Energy Department, Secretariat,
Chennai.
2. The Chairman cum Managing Director,
Tamil Nadu Generation and
Distribution Corporation Ltd., (TANGEDCO)
10th Floor, NPKRR Maligai,
144, Anna Salai, Chennai - 600 002.
3. The Chairman,
Tamil Nadu Electricity
Regulatory Commission,
No.19-A, Rukmini Lakshmi pathy Salai,
Marshalls Road, Egmore, Chennai - 600 008.
4. The Director (Distribution),
TANGEDCO Ltd.,
144, Anna Salai, Chennai - 600 002.
5. The Chief Engineer (Distribution),
TANGEDCO, Trichy.
6. The Superintending Engineer,
TANGEDCO, Tanjavur.
7. The Executive Engineer,
TANGEDCO, Pattukottai,
Tanjavur District.

... Respondents in all petitions



COMMON PRAYER: Writ Petitions are filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 7th respondent to adhere to the seniority of the petitioners' applications dated 21.05.2010, 12.06.2008, 11.02.2008, 07.03.2005 & 13.12.2004, respectively, in providing electricity service connection to the petitioners' Well situated in S.F.Nos.212.6, 213, 191/1, 41/2, 321, respectively, of Pannavayal Village, Pattukottai Taluk under the Tatkal Self Finance Scheme 17-18.

For Petitioner	: Mr.P.Ganapathi Subramanian
For Respondents	: Mr.J.Gunaseelan Muthiah, Government Pleader for R.1 Mrs.S.Srimathi for R.2 to R.7 (In all petitions)

COMMON ORDER

As the issue involved in all these cases is similar in nature, they are disposed of by this common order.

2. By consent, these writ petitions are taken up for final disposal. Mr.J.Gunaseelan Muthiah, learned Government Advocate takes notice for the first respondent and Mrs.S.Srimathi, learned Counsel, takes notice for respondents 2 to 7, in all petitions.

3. The petitioners before this Court are agriculturalists and according to them, they had applied for electricity service connection to their Wells in their respective lands, before the seventh respondent and they were also allotted a Seniority number for the same. In the meanwhile, the Government has introduced Tatkal Self Financing Scheme 17-18 (TSFS 17-18), for speedy processing of the pending application seeking electricity connection for agriculture pump-sets and thereby called for 10,000 willing applicants. As the petitioners are interested in the said scheme, they approached the authorities and showed their readiness to pay the required fee, for the Tatkal Scheme. Whereas, it is their grievance that one C.V.Sekar, M.L.A., Pattukottai, by using his political influence, is interfering with the selection process according to his whims and fancies, thereby, according to the petitioners, their right to get the connection through Tatkal Scheme is defeated. Aggrieved over the same, the present petitions came to be filed.

4. On the other hand, the learned Counsel appearing for the seventh respondent stoutly refuted the contentions of the learned Counsel for the petitioners and on instructions, submitted that based on seniority, the applicants are called for and on payment of required fee, they are enrolled in the said scheme.

<https://hcservices.ecourts.gov.in/hcservices/>

5. Heard both sides and perused the documents placed on record.



6. It is seen that the petitioners are agriculturalists and for electricity connection to their Wells, they had applied before the authorities, in the years 2004, 2005, 2008 and 2010, as the case may be and they were also allotted seniority numbers for the same. As they are eagerly awaiting for the electricity service connection for the agricultural pump-sets and apprehending that their chances of getting into the said scheme will be negated, if the seniority list is not followed by the authorities in letter and spirit, despite their inclination to pay necessary fee under Tatkal Scheme, they are before this Court.

7. Under such circumstances, this Court feels it appropriate to direct the respondents, more particularly, the seventh respondent, to look into the issue, sympathetically and pass appropriate orders thereon, on merits and in accordance with law, after affording due opportunity of hearing to the petitioners as well as all the other interested parties, if any, on the basis of the seniority list, within a period of three months from the date of receipt of a copy of this order.

8. With the above direction, these writ petitions are disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (Crl.side)

/True Copy/

Sub Assistant Registrar

To:

1. The Principal Secretary to
Government of Tamil Nadu,
Energy Department, Secretariat,
Chennai.
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6. The Superintending Engineer,
TANGEDCO, Tanjavur.

7. The Executive Engineer,
TANGEDCO, Pattukottai,
Thanjavur District.

+ 5 CC TO Mr.P.GANAPATHI SUBRAMANIAN, ADVOCATE IN SR Nos. 94010 to 94014

+ 1 CC TO Mr.S.M.S.JOHNNY BASHA, ADVOCATE IN SR No. 93637

+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR Nos. 93824, 93825, 93831 to 93833

GK

TE/MR/SAR-1 : 08/01/2018 : 4P/15C

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