



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.12.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD)No.20891 of 2017

S.Magudeeswari

.. Petitioner

Vs.

1.The Superintending Engineer,
Office of the Tamil Nadu Electricity Board,
Meenatchinayakanpatty, Dindigul.

2.The Executive Officer,
Office of the Tamil Nadu Electricity Board,
Palani, Dindigul District.

3.The Additional Electrical Engineer (West),
Tamil Nadu Electricity Board,
Chathirappatty, Oddanchatram Taluk,
Dindigul District.

4.R.Sivagiri Palanichamy

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus calling for the records pertaining to the order passed by the third respondent in A.No.107 of 2017 dated 04.07.2017 and quash the same and direct the third respondent to give electric connection to the petitioner's house on his application, dated 29.06.2017.

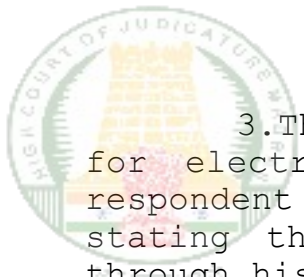
For Petitioner : Mr.S.R.Sureshkumar

For Respondents 1 to 3 : Mr.E.P.Venkateshwar
for Mr.S.M.S.Johnny Basha

ORDER

This writ petition has been filed seeking a writ of Certiorarified Mandamus to quash the order passed by the third respondent in A.No.107 of 2017, dated 04.07.2017, and direct the third respondent to give electricity service connection to the petitioner's house, based on his application, dated 29.06.2017.

2.Heard the learned counsel appearing for the petitioner as well as the learned counsel appearing for the respondents 1 to 3. In view of the nature of the relief sought for by the petitioner, notice to the fourth respondent is dispensed with.



3.The case of the petitioner is that the petitioner applied for electricity service connection to his house and the third respondent rejected the same, vide impugned order dated 04.07.2017, stating that one Ramasamy has objected to erect electric poles through his track. Therefore, the petitioner is before this Court.

4.The learned counsel appearing for the petitioner would submit that the third respondent without conducting any enquiry and also without giving any opportunity of hearing to the petitioner, has erroneously passed the impugned order and therefore the impugned order is liable to be set aside.

5.The learned counsel appearing for the respondents 1 to 3 would submit that since one Ramasamy objected to erect electric poles through his track, the third respondent, rightly passed the impugned order and therefore the same requires no interference.

6.It is an admitted fact that the petitioner applied for electricity service connection, vide his application, dated 29.06.2017. The third respondent without conducting any enquiry, has passed the impugned order, stating that one Ramasamy objected to erect electric poles through his track. Since the third respondent has passed the impugned order without conducting any enquiry, the same is liable to be set aside and accordingly, the same is set aside and the matter is remitted back to the third respondent and the third respondent is directed to conduct proper enquiry and pass appropriate orders on its own merit and in accordance with law, after affording due opportunity of hearing to the petitioner as well as any of the interested parties including the fourth respondent, within a period of four weeks from the date of receipt of a copy of this order.

7.The writ petition is disposed of as above. No costs.

Sd/-

Assistant Registrar(AS)

/True Copy/

Sub-Assistant Registrar

To

- 1.The Superintending Engineer,
Office of the Tamil Nadu Electricity Board,
Meenatchinayakkanpatty, Dindigul.
 - 2.The Executive Officer,
Office of the Tamil Nadu Electricity Board,
Palani, Dindigul District.
 - 3.The Additional Electrical Engineer (West),
Tamil Nadu Electricity Board,
Chathirappatty, Oddanchatram Taluk, Dindigul District.
- +One cc to Mr.S.R.Suresh Kumar, Advocate, SR.No.91045

smn

RL/5C/2P/SKN/RSK/SAR4/20/12/2017

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

ORDER MADE IN

W.P (MD) No.20891 of 2017

05.12.2017