



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.12.2017

CORAM:

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN**W.P. (MD) No. 24030 of 2017**

WEB COPY

Durai Ganesh

.. Petitioner

Vs.

1. Superintending Engineer,
Tamil Nadu Generation and Distribution
Corporation Ltd., (TANGEDCO)
Tanjore & District.

2. The Assistant Engineer (O&M)
Tamil Nadu Generation and Distribution
Corporation Ltd., (TANGEDCO)
Adhirampattinam,
Pattukottai Taluk,
Tanjore District.

3. Savithiri

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned proceeding of the 2nd respondent in க.எண்.உ.மி.பொ.இப / அதிரை / கோ.தனி / அ.எண்.17.18 நாள் 06.12.2017 and quash the same as arbitrary and illegal with a consequential direction to respondents to provide electricity service connection to the Shrimp Farm situated in Survey No.235/16 Old, Survey No.235 an extent of 12 acres at Eripurakarai Village, Pattukottai Taluk, Tanjore District.

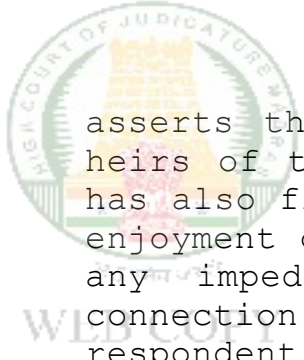
For petitioner

: Mr.N.Balakrishnan

O R D E R

The Writ Petitioner challenges the impugned order dated 06.12.2017, issued by the second respondent.

2. The Writ Petitioner is running a Shrimp Farm in Survey No.235/16 in Eripurakarai Village, Pattukottai Taluk, Tanjore. A mere look at the proceedings dated 20.08.2003, issued by the Tahsildar, Pattukottai would show that the subject property is not a poramboke land. It appears that the litigation instituted against one Sadaiyan in respect of the very same property ended in favour of Sadaiyan. The petitioner has purchased the property in question from Sadaiyan. His wife Savithri had attested the said document. The learned counsel appearing for the writ petitioner



asserts that there is no objection or opposition from the legal heirs of the Sadaiyan, who has passed away. The Writ petitioner has also filed adangal copies to show that he is in possession and enjoyment of the property in question. Therefore, there cannot be any impediment for the second respondent to grant service connection to the Writ Petitioner. It is open to the second respondent to insist on execution of indemnity bond.

3. In this view of the matter, the impugned order dated 06.12.2017 is quashed. The second respondent is directed to provide electricity connection to the Shrimp Farm in question upon the petitioner fulfilling the statutory formalities. This Writ Petition is allowed, accordingly. No costs.

Sd/-

Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

To:

1. Superintending Engineer,
Tamil Nadu Generation and Distribution
Corporation Ltd., (TANGEDCO)
Tanjore & District.
2. The Assistant Engineer (O&M)
Tamil Nadu Generation and Distribution
Corporation Ltd., (TANGEDCO)
Adhirampattinam, Pattukottai Taluk,
Tanjore District.

+1cc to Mr.N.Balakrishnan, Advocate Sr.No.94714

KMI

VB/KK/SAR1/18/01/2018/2P/4C

ORDER MADE IN
W.P. (MD) No.24030 of 2017
22.12.2017