



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.04.2017

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

W.P. (MD) .No.5556 of 2017

M.Revathi

.. Petitioner

Vs.

1. The Assistant Engineer(O&M),
TANGEDCO, Viralimalai Post & Taluk,
Pudukkottai District.

2. The Tahsildar,
Viralimalai Post & Taluk,
Pudukkottai District.

.. Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the first respondent to give electricity service connection to the petitioner's house situated in 224/96 of Melapachaikudi Village, Viralimalai Taluk, Pudukkottai District at once.

For Petitioner : Mr.P.Ganapathi Subramanian

For R-1 : Mr.E.P.Venkateshwar,
for Mr.S.M.S.Johny Basha,
Standing Counsel for T.N.E.B.,

For R-2 : Mr.C.Selvaraj,
Special Government Pleader.

ORDER

This Writ petition has been filed by the petitioner for issuance of a Writ of Mandamus, directing the first respondent to give electricity service connection to the petitioner's house situated in 224/96 of Melapachaikudi Village, Viralimalai Taluk, Pudukkottai District at once.

2. Heard the learned counsel appearing for the petitioner and the learned Standing counsel for T.N.E.B., appearing for the respondents.

3. Mr.E.P.Venkateshwar, for Mr.S.M.S.Johny Basha, learned Standing Counsel for T.N.E.B., takes notice for the first respondent and Mr.C.Selvaraj, learned Special Government Pleader, takes notice for the second respondent. By consent, the Writ petition itself is



taken up for final disposal.

4. The learned counsel for the petitioner submit that the petitioner is in occupation of poromboke land and her request for supply of electricity is not being considered. Further, the learned counsel for the petitioner specifically state that there is no objection from anybody with regard to the possession and enjoyment of the property by the petitioner. However, the learned counsel for the respondents produced before this Court, the objections raised by the public as well as the Village Administrative Officer stating that the petitioner is not in lawful enjoyment of the property and that the encroachment is also objectionable. In the representation of the public as well as the Village Administrative Officer, a request has been made not to supply the electricity to the petitioner.

5. Having regard to the objections raised by the public as well as the Village Administrative Officer, pointing out that the encroachment by the petitioner is objectionable, this Court is not inclined to issue any positive direction. However, the first respondent is directed to consider the petitioner's representation, dated 15.03.2017 and objections raised by the public and as well as the Village Administrative Officer and pass appropriate orders or take further action on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

6. Accordingly, the Writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-III)

/True Copy/

Sub Assistant Registrar

To

1. The Assistant Engineer(O&M),
TANGEDCO, Viralimalai Post & Taluk,
Pudukkottai District.
2. The Tahsildar,
Viralimalai Post & Taluk,
Pudukkottai District.

+ 1 CC TO Mr.P.GANAPATHI SUBRAMANIAN, ADVOCATE IN SR No. 50364
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 19251

PMU

TE/SV-MMS : 13/04/2017 : 2P/5C

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ORDER MADE IN
W.P. (MD) .No.5556 of 2017
03.04.2017