



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.12.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P (MD) No.4384 of 2016

M.M.Manivel

... Petitioner

Vs.

1. The Superintending Engineer,
Tamil Nadu Electricity Board,
Thoothukudi, Thoothukudi District.

2. The Executive Engineer / Rural,
Tamil Nadu Electricity Board,
Thoothukudi,
Thoothukudi District.

3. The Assistant Engineer,
Tamil Nadu Electricity Board,
Kulathoor,
Vilathikulam Taluk,
Thoothukudi District.

4. The Inspector of Police,
Kulathoor Police Station,
Vilathikulam Taluk,
Thoothukudi District.

5. R.Sathiyan

6. R.Chandramohan

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus calling for the records relating to the impugned order in Ka.No.U.Po/V/Kulathoor/ Ko.Kattu/A.No.51/13, dated 09.05.2013, passed by the third respondent and quash the same and direct the respondents 1 to 3, to provide electricity connection to the petitioner's house situated in Survey No.276/9 at Kulathur Village, Vilathikulam Taluk, Thoothukudi District by erecting supportive pole in his property in Survey No.276/8 at Kulathur Village, Vilathikulam Taluk, Thoothukudi District.

For Petitioner : Mr.B.Vinoth Kumar

For Respondents 1 to3 : Mr.AU.Ramanathan

For Respondent - 4 : Mr.J.Gunaseelan Muthiah,
Government Advocate

For Respondents -5 & 6 : No appearance

**ORDER**

This writ petition has been filed, seeking a Writ of Certiorarified Mandamus to quash the impugned order, dated 09.05.2013 passed by the third respondent and direct the respondents 1 to 3 to provide electricity connection to the petitioner's house.

2. Heard both sides.

3. The learned counsel for the petitioner would submit that the petitioner owns the land in question, wherein, after obtaining necessary building plan approval, he constructed a house and has been paying house tax. The petitioner has sent several representations and application along with necessary documents, for getting electricity service connection to his newly constructed house. Though the officials inspected the place, vide communication dated 09.05.2013, informed that the expenses for erecting pole, have to be borne by the petitioner and also the 4th and 5th respondents raised objections and unless the same is resolved, electricity connection could not be effected. Hence, challenging the same, the petitioner is before this Court.

4. The learned learned counsel appearing for the official respondents submitted that since objections were raised by the fourth and fifth respondents, the electricity connection could not be provided to the petitioner's house.

5. At this juncture, the learned Counsel for the petitioner, on instructions, would submit that it would suffice, if the application of the petitioner for electricity connection, may be directed to be considered by the respondents as per law.

6. Considering the limited scope of the relief sought in this writ petition, this Court, without going into the merits of the case, directs the respondents 1 to 3, to consider the petitioner's application on the basis of the materials placed by him and pass appropriate orders, on merits and in accordance with law, after affording due opportunity of hearing to the petitioner as well as all the interested parties, if any, within a period of eight 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 (T&P)

/True Copy/



To

1. The Superintending Engineer,
Tamil Nadu Electricity Board,
Thoothukudi,
Thoothukudi District.
2. The Executive Engineer / Rural,
Tamil Nadu Electricity Board,
Thoothukudi,
Thoothukudi District.
3. The Assistant Engineer,
Tamil Nadu Electricity Board,
Kulathoor,
Vilathikulam Taluk,
Thoothukudi District.
4. The Inspector of Police,
Kulathoor Police Station,
Vilathikulam Taluk,
Thoothukudi District.

+ 1 CC TO Mr.B.VINOTH KUMAR, ADVOCATE IN SR No. 92991

DSK

TE/SKN-RSK/SAR-3 : 27/12/2017 : 3P/6C

ORDER MADE IN
W.P (MD) No.4384 of 2016
14.12.2017