

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :28.09.2018

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.1564 of 2012

S.Varadharaj

.. Petitioner

vs

1. The Executive Engineer,
Tamil Nadu Electricity Board
(Operation and Maintenance)
Olimuhamadupettai, Kanchipuram.

2.The Assistant Executive Engineer,
Tamil nadu Electricity Board,
Olimuhamadupettai, Kanchipuram.

3.The Junior Engineer,
Operation and maintenance
Tamil Nadu Electricity Board / KEDC
Peru Nagar-603 404
Kanchipuram.

4.S.Mohanarangan

.. Respondents

(R4 is impleaded as per order
dated 06.10.2017 in MP.No.1/2013)

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 3rd respondent to arrive an estimate for shifting of petitioner's agricultural service connection in SC.No.1116/3 HP from S.Nos.977 to 1052 at Peru Nagar Village, Uthiramerur Taluk, Kanchipuram District by the respondents 1 and 2 to approve the same for shifting within a specified period.

For Petitioner : Mr.D.Murthy

For Respondents : Mr.S.K.Raameshwar, Standing Counsel
for TNEB for R1 to R3

O R D E R

The relief sought for in this writ petition is for a direction directing the 3rd respondent to arrive an estimate for

shifting of petitioner's agricultural service connection.

2. It is contended by the learned counsel appearing for the writ petitioner that the petitioner has submitted all the necessary application before the respondents for consideration. In spite of the fact, the respondents have not passed any orders.

3. The learned counsel appearing for the respondents, relying on the counter affidavit filed on behalf of the respondents 1 and 3, states that the estimate had been prepared and submitted to the Executive Officer, Operation and Maintenance, South Kanchipuram for sanction on 22.01.2011. The estimate had returned to Section Officer for want of Dryness Certificate. The matter was informed to the writ petitioner on 22.05.2011 and the certificate was received by this Office on 22.09.2011. The estimate has been resubmitted by Junior Engineer / O & M / Peru Nagar to higher authority for sanction. On scrutiny and on perusal of the documents, the land in Survey.No.977 had been allotted to Thiru.S.Mohanarangan, at the time of time of partition (i.e., on 12.08.2002). Hence, the shifting of service is not possible at this junction and therefore, the case of the writ petitioner has not been considered by the authorities.

4. The learned counsel appearing for the respondents also states that in the event of producing all such relevant documents, the case of the writ petitioner will be considered by the competent authority.

5. In view of the submissions made, the writ petitioner is at liberty to submit all required documents, as such sought for by the authorities for verification. In the event of submitting any such documents by the writ petitioner, the respondents are directed to scrutinize the same and pass appropriate orders within a period of twelve (12) weeks from the date of submission of the documents by the writ petitioner.

6. Accordingly, writ petition stands disposed of. However, there shall be no order as to costs.

Sd/-
Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

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To

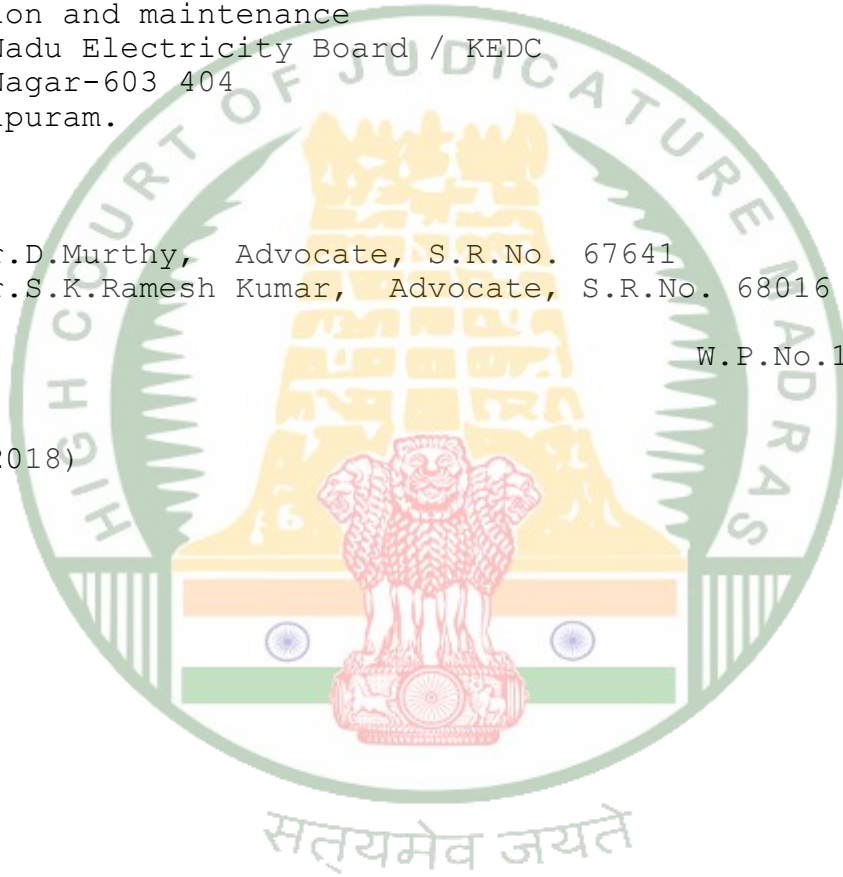
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+1cc to Mr.D.Murthy, Advocate, S.R.No. 67641

+1cc to Mr.S.K.Ramesh Kumar, Advocate, S.R.No. 68016

W.P.No.1564 of 2012

PP (CO)
GN (25/10/2018)



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