

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 05.02.2018

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

W.P.No.31224 of 2017

C.Parvathiammal

.. Petitioner

vs.

1. The Superintending Engineer,
(Operation and Maintenance)
TANGEDCO,
Dharmapuri Division,
Dharmapuri District.
 2. The Executive Engineer,
(Operation and Maintenance)
TANGEDCO,
Dharmapuri Division,
Dharmapuri District.
 3. The Assistant Executive Engineer,
(Operation and Maintenance)
TANGEDCO,
Eriyur, Pennagaram Taluk,
Dharmapuri District.
- ...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned proceedings dated 30.10.2017 in KA.No.SE.PO/E.P/THARU/VA/KO.VIVA/NO.059/2017 on the file of the second respondent and quash the same, consequently directing the respondents herein to provide new 3 HP Agricultural Electricity Service connection to the well situated in Survey No.361/2 at Thonnakuttahalli Village, Pennagaram Taluk, Dharmapuri District, within a period fixed by this Court.

For Petitioner : Mr.N.Elumalai

For Respondents : Mr.M.Varunkumar,
Standing counsel.

O R D E R

The petitioner is aggrieved against the proceedings of the second respondent dated 30.10.2017 intimating that the petitioner's application seeking for agricultural electricity connection will be considered in accordance with the seniority in the normal scheme

for providing agricultural electricity connection to the respective applicants.

2. The grievance of the petitioner before this Court is that when the petitioner has applied for such service connection under the Special Scheme viz., Jeevandhara Scheme, the second respondent is not justified in placing her application under the normal category.

3. Learned counsel appearing for the petitioner, after inviting this Court's attention to the proceedings of the Block Development Officer dated 29.07.2015 addressed to the 3rd respondent, submitted that the very proceedings of the Block Development Officer, will show that the petitioner's application was treated under the special scheme, namely, Jeevandhara Scheme and not under the normal category.

4. The respondents filed a counter affidavit wherein it is stated that no quota was fixed for Jeevandhara Scheme for the year 2013-14 and therefore, the petitioner is not entitled to be considered under the said Scheme.

5. Heard both sides.

6. It is seen that the petitioner has applied for agricultural electricity connection under the Special Scheme called Jeevandhara Scheme. The Block Development Officer, Pennagaram, also forwarded the said application to the third respondent specifically indicating that the petitioner has applied under the said Scheme only. When such being the case, the second respondent is not justified in treating the petitioner under the normal category without considering such application under the said Scheme namely, Jeevandhara Scheme. Needless to say that even under the said Scheme, the petitioner can be considered only in accordance with her seniority under the said Scheme and not by any priority. Therefore, this writ petition is disposed of by directing the respondents to consider the petitioner's application under the Jeevandhara Scheme and pass appropriate orders as and when her seniority comes within the said Scheme.

7. With the above observation, the writ petition is disposed of. No costs.

Sd/-

ASST. REGISTRAR

/TRUE COPY/

SUB ASST. REGISTRAR

vsi

To

1. The Superintending Engineer,
(Operation and Maintenance)
TANGEDCO, Dharmapuri Division,
Dharmapuri District.

2. The Executive Engineer,
(Operation and Maintenance)
TANGEDCO, Dharmapuri Division,
Dharmapuri District.

3. The Assistant Executive Engineer,
(Operation and Maintenance)
TANGEDCO, Eriyur, Pennagaram Taluk,
Dharmapuri District.

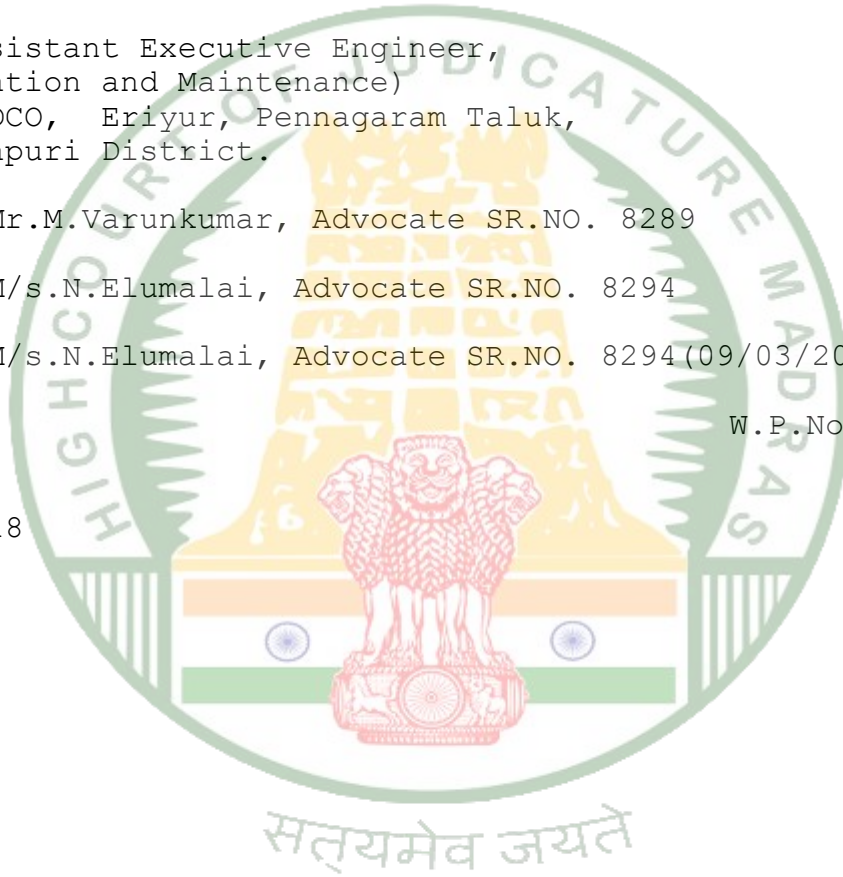
+1 cc to Mr.M.Varunkumar, Advocate SR.NO. 8289

+1 cc to M/s.N.Elumalai, Advocate SR.NO. 8294

+1 cc to M/s.N.Elumalai, Advocate SR.NO. 8294(09/03/2018)

W.P.No.31224 of 2017

GP (CO)
JK 19/02/18



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