

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 24.8.2018

CORAM

THE HONOURABLE MR.JUSTICE HULUVADI G.RAMESH
AND
THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.A.No.1809 of 2018
and
C.M.P.No.14572 of 2018

- 1 The Superintending Engineer
TNEB Distribution, Vellore District.
 - 2 The Executive Engineer
TNEB, Wallajah Taluk, Vellore District.
 - 3 The Junior Engineer
TNEB, Panavaram Branch
Arakkonam Taluk, Vellore District.
- Appellants/Respondents 1 to 3
- Versus
- 1 Munusamy Reddiyar 1st Respondent/Petitioner
 - 2 Venkatesan 2nd Respondent/4th Respondent

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent against the order dated 30.11.2015 passed in W.P.No.9190 of 2015 on the file of this court.

Prayer in WP.No.9190/2015:Petition filed under Article 226 of the Constitution of India for issuance of a writ of certiorarified mandamus Calling for the records in relation to the impugned order in Na.Ka.132/ Se.Poo/ Iya/Sho/ Tho.Nu.Ku/ Koo.v.v/2015 dated 19.1.2015 from the file of the 2nd respondent and quash the same consequently direct the 3rd respondent to issue service connection to well in Mangalam S.No.386A/ 12C to the petitioner.

For appellants : Mr.M.Varunkumar
For respondents : Mr.R.Margabandhu

JUDGMENT

(Judgment of the court was made by HULUVADI G.RAMESH, J.)

Heard the learned counsel appearing for the appellants and Mr.R.Margabandhu, learned counsel, who takes notice on behalf of the respondents.

2. The writ appeal has been filed by the Tamil Nadu Electricity Board challenging the order passed by the learned Single Judge in directing appellants 2 and 3 to consider the writ petitioner's for providing electricity service connection.

3. It appears that the vendor of the writ petitioner/first respondent herein, father of the second respondent herein, had applied for electricity service connection on 6.1.1990, however, he sold the property to the writ petitioner in the year 1993 and passed away in the year 2013. Subsequent to that viz., after twenty years after the application was submitted, it was considered as per the seniority and it appears that the service connection was offered and because of lack of communication, it was not readily accepted which resulted in cancellation of the same and challenging the same, the writ petition was filed.

4. The learned Single Judge, on analysing the factual aspects, having found that it is for agricultural purpose, has passed an order directing the Department to consider the case of the writ petitioner taking note of the seniority of his vendor viz., N.Subramani Reddy, who had applied for grant of service connection and pass orders within eight weeks.

5. We find that there is no unreasonableness or arbitrariness in the order passed by the learned Single Judge in directing to consider the case of the writ petitioner in giving electricity connection especially when it is for agricultural purpose. Therefore, we do not find any scope for interference. The writ appeal is dismissed. No costs. The connected miscellaneous petition is also dismissed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

ssk
To:

- 1 The Superintending Engineer
TNEB Distribution Vellore District.
- 2 The Executive Engineer
TNEB Wallajah Taluk Vellore District.
- 3 The Junior Engineer
TNEB Panavaram Branch
Arakkonam Taluk Vellore District.

+1cc to MR.M.Varunkumar, Advocate SR.NO.58132
AD(CO)
sm:26.10.2018

W.A.No.1809 of 2018