

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :12.10.2018

CORAM

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

W.P.No.39651 of 2016

P.Suburaya Gounder

....Petitioner

Vs

- 1.The Chairman
Tamil Nadu Electricity Board,
No.144, Anna Salai, Chennai-2
- 2.The Executive Engineer
(Operation & Maintenance) TANGEDCO
Dharapuram, Tiruppur District
- 3.The Assistant Engineer
TANGEDCO, Mulanur, Dharapuram Taluk
Tiruppur District.
- 4.The Junior Engineer
TANGEDCO, Akkarapalayam, Dharapuram Taluk
Tiruppur District.

5.S.Manivel

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents 1 to 3 to take appropriate action on the representation of the petitioner dated 29.03.2016.

For Petitioner : Mr.M.Guruprasad

For Respondents : Mr.S.K.Raameshwar
Standing counsel for Electricity Board
for R1 to R4

No appearance for R5

ORDER

The relief sought for in this writ petition is for a direction to direct the respondents 1 to 3 to consider the petitioner's representation dated 29.03.2016.

2. The grievance of the writ petitioner is that the 5th respondent / Brother of the writ petitioner is misusing the electricity service connection provided for the agricultural purpose in the joint name of the writ petitioner as well as the 5th respondent. The writ petitioner is in the apprehension of disconnection of electricity supply by the Electricity Board, in the event of initiating action by them, on account of the illegalities being committed by the 5th respondent and therefore, the writ petitioner made a representation to the respondents 1 to 4 to initiate action against the 5th respondent for the irregularities and illegalities being committed, while utilising the power supply provided for agricultural purpose.

3. This Court is of an opinion that in respect of the agricultural

service connection, the authorities competent are bound to conduct inspections periodically and verify the genuinity of the usage or otherwise. It is needless to state that as per the terms and conditions imposed at the time of providing electricity service connection for agricultural purpose, certain conditions were imposed. The persons who are utilising the electricity power connection for agricultural purpose are bound by all such conditions. In the event of any violation, the Electricity Board is empowered to initiate action under the Electricity Supply Code.

4. This being the principles to be followed, the 3rd respondent is bound to conduct inspections in respect of the service connection provided both to the writ petitioner as well as to the 5th respondent and initiate appropriate action, if there is any violation or irregularity.

5. In this view of the matter, the 2nd respondent is directed to consider the representation submitted by the writ petitioner on 29.03.2016 and pass orders on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order. The writ petitioner is directed to enclose a copy of the representation and all other relevant documents, if any, along with the order passed in this writ petition.

S.M.SUBRAMANIAM, J.

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6. With the above observations, the writ petition stands disposed of.

However, there shall be no order as to costs.

12.10.2018

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Internet:Yes/No

Index : Yes/No

Speaking/Non speaking order

To

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