

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.04.2018
CORAM

THE HON'BLE MR.JUSTICE M. DHANDAPANI

W.P.No. 23711 of 2006

Tmt. Rasammal

..Petitioner

Vs.

- 1.The Executive Engineer, (Nagariam)
Erode Electricity Distribution Division,
Erode.
- 2.The Executive Engineer,
Public Works Department,
Bhavanisagar Dam Division,
Bhavanisagar, Erode District.
- 3.The Assistant Executive Engineer (O&M),
Kavindapadi,
Erode District.
- 4.State of Tamil Nadu,
represented by its Secretary,
Public Works Department,
Fort St. George,
Chennai - 600 009
- 5.The Principal Chief Engineer
Water Resources Organization Cum
Chief Engineer (PWD),
Chepauk, Chennai - 600 005.
(R4 & R5 impleaded as per order
dated 09.10.2006 in MP.No.3 of 2006
in WP.No.23711 of 2006).

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus to call for the records relating to the Letter No.VaPa/EVaA3/Ko.19(A)/238M/dated 06.06.2006 issued by the Executive Engineer, P.W.D., Bhavanisagar Dam Division, Bhavanisagar, Erode District, the second respondent herein and to quash the same and consequently to direct the first and third respondents and their subordinates to supply agricultural service connection to the petitioner's borewell situated in R.S.No.312 (Old S.Nos.151, 152 and 153), Patta No.413, Perundalaiyur Village, Gobichettipalayam Taluk, Erode District within such time as may be prescribed by this Court.

For Petitioner : M/s.N.Damodharan
For Respondent-1 : Mr.S.K. Raameshuwar
For Respondents 2-5 : Mr.K. Ravi Kumar
Additional Government Pleader

O R D E R

The petitioner has filed this writ petition challenging the impugned order passed by the second respondent/Public Works Department, Erode, in Lr.No.VaPa/EVaA3/Ko.19(A)/238M/, dated 06.06.2006 to quash the same and consequently direct the respondents 1 & 3 and their subordinates to supply agricultural service connection to the petitioner's bore-well situated in R.S.No.312 (Old S.Nos.151, 152 and 153), Patta No.413, Perundalaiyur Village, Gobichettipalayam Taluk, Erode District.

2. The learned counsel appearing for the petitioner would submit that prior to the year 2003, there is no necessity for furnishing No Objection Certificate on the premises where the bore-well is situated within the prohibited distance i.e., 200 metres from the Bhavani River Basin. However, the said condition was incorporated based on the guidelines issued by the Chairman of the Tamil Nadu Electricity Board in the year 2003. However, the petitioner is ready to produce "No Objection Certificate" as well as "Readiness Certificate" and after production of the two certificates, the Tamil Nadu Electricity Board may consider the petitioner's representation.

3. In view of the limited scope of the prayer, this Court is inclined to issue a direction to the second respondent that on receipt of the No Objection Certificate and Readiness Certificate. The Tamil Nadu Electricity Board shall consider the petitioner's representation for service connection for the bore-well within a period of one week and thereafter, to pass appropriate orders within a period of four weeks from the date of receipt of a copy of this order.

4. With the above directions, the writ petition stands closed. No costs.

s/d-
Assistant Registrar(CO)

True Copy

Sub-Assistant Registrar

msm

To:

1. The Executive Engineer, (Nagariam)
Erode Electricity Distribution Division, Erode.
 2. The Executive Engineer,
Public Works Department,
Bhavanisagar Dam Division,
Bhavanisagar, Erode District.
 3. The Assistant Executive Engineer (O&M),
Kavindapadi, Erode District.
 4. The Secretary, to Govt.
State of Tamil Nadu
Public Works Department,
Fort St. George, Chennai - 600 009.
 5. The Principal Chief Engineer
Water Resources Organization Cum
Chief Engineer (PWD), Chepauk, Chennai - 600 005.
- +1 CC to Mr.S.K. Rameshuwar, Advocate sr 29138.

W.P.No. 23711 of 2006

GJ(CO)
SP(29/05/2018)

सत्यमेव जयते

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