

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :05.12.2018

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

W.P.No.31971 of 2018

Smt.Radha

..Petitioner

vs

1.The Superintending Engineer,
Tamil Nadu Electricity Board / TANGEDCO,
Dharmapuri,
Dharmapuri District.

2.The Executive Engineer(Operation & Maintenance)
Tamil Nadu Electricity Board / TANGEDCO,
Kadathur,
Dharmapuri District.

3.The Assistant Engineer(Operation & Maintenance)
Tamil Nadu Electricity Board / TANGEDCO,
Pommidi,
Dharmapuri District.

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents herein to dispose of the petitioner's application bearing No.DED-931 dated 03.01.1987 followed by reminders dated 09.10.2017 and 19.02.2018 for getting free agricultural service connection in order to enable the petitioner herein to get the free agricultural service connection within a time stipulated by this Honourable court.

For Petitioner : Mr.G.Saravanan

For Respondents : Mr.M.Varunkumar

O R D E R

The relief sought for in this writ petition is for a direction to direct the respondents herein to dispose of the petitioner's application bearing No.DED-931 dated 03.01.1987 followed by reminders dated 09.10.2017 and 19.02.2018 for getting free agricultural service connection in order to enable the petitioner herein to get the free agricultural service connection within a time stipulated.

2.The learned counsel for the writ petitioner states that the petitioner is the absolute owner of the agricultural land bearing survey No.288/2, consisting of 3.30 acres of land. The husband of the writ petitioner originally submitted an application seeking agricultural Electricity service connection on 03.01.1987 and the same was registered vide Application No.DED-931 dated 03.01.1987. On receipt of the application, the 2nd respondent had issued a Letter bearing No.252 dated 01.08.2008 and directed the writ petitioner to comply with the conditions for readiness. The petitioner states that they have complied with all the requirements and is waiting for the Electricity service connection for agricultural purposes.

3.The learned counsel for the writ petitioner states that the husband of the writ petitioner passed away and now she is a Widow. Since the petitioner is waiting for long years, some preference must be given to the writ petitioner for providing Electricity service connection for irrigation. The learned counsel for the petitioner is of an opinion that as per the procedure for getting agricultural service connection, every year, 150 Nos. services are given totally to Widows, Physically Challenged, Ex.servicemen, Scheduled Tribes and Intercaste Married people under special priority scheme. The above target has been increased to 250 vide Government Letter dated 18.06.2010 by including Serving Defence Personnel and Para Military Force under this special priority category.

4.Relying on the said guidelines, the learned counsel for the petitioner states that the writ petitioner is also eligible to avail the priority category for providing Electricity service connection for agricultural purposes. This Court is of an opinion that free Electricity service connection for irrigation purposes are granted by the respondent Board only as per the seniority. The seniority list maintained is to be followed strictly and scrupulously by the respondents. There cannot be any deviation or violations in respect of the seniority and the rules to be followed in that regard. If at all, any priority is provided to a particular category, the same also to be given in accordance with the seniority in that particular priority category.

5.At the outset, the respondents are bound to follow the rules and regulations for the purpose of providing free Electricity service connection for irrigation purposes. Such free electricity power supply has been provided in order to encourage the agriculturists to cultivate their lands in a better way. Thus, such welfare schemes are to be implemented uniformly and without causing any discrimination.

6.This Court is of an undoubted opinion that amongst the particular category, the seniority lists are to be followed and accordingly, service connections are to be provided. In this view of the matter, this Court cannot direct the respondents to dispose of the application submitted by the writ petitioner in view of the fact that the same will not serve any purpose. However, it is made clear that the respondents are bound to follow the rules and regulations and the seniority strictly and without any violation.

7.This being the principles to be followed, the case of the writ petitioner also shall be considered along with all other persons, who all are longing to get free Electricity service connection by waiting in the seniority list and provide accordingly.

8.With these observations, the writ petition stands disposed of. However, there shall be no order as to costs.

Sd/-

Assistant Registrar(CS-VIII)

//True Copy//

Sub Assistant Registrar

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To

1. The Superintending Engineer,
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+1cc to M/s.G.Saravanan, Advocate, S.R.No.83364

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CNR (CO)

SSM(02/01/2019)