



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.03.2018

CORAM :

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

WEB COPY

Writ Petition(MD) No.22190 of 2017

S.V.Nandagopal

... Petitioner

Vs.

1.The Superintending Engineer,
Dindigul EDC, Dindigul District.

2.The Executive Engineer,
TANGEDCO, Batlagundu,
Dindigul District.

3.The Assistant Engineer,
TANGEDCO,
Mattaparai, Ramanathapuram,
Dindigul District.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus, to direct 1st Respondent to instruct the 2nd & 3rd respondents to reconnect the agricultural electrical service connection to SC.No.0525001444 at Sadayapatti Village Batlagundu Division, Nilakottai Taluk, Dindigul District on the basis of the petitioner's representation dated 07.08.2017 submitted to the 2nd Respondent.

For Petitioner

: Mr.R.Murugan

For Respondents

: MrE.P.Venkateshwar,
for Mr.S.M.S.Johny Basha
Standing Counsel

ORDER

This writ petition has been filed seeking direction to the first respondent to instruct the second and third respondents to reconnect agricultural electrical service connection in SC.No.0525001444 at Sadayapatti Village, Batlagundu Division, Nilakottai Taluk, Dindigul District by considering the representation of the petitioner, dated 07.08.2017.

2.According to the petitioner, the petitioner is using electricity service connection in S.C.No.0525001444 for the past 30 years. Due to some unavoidable circumstances, the petitioner was not able to do agricultural operations for some time and therefore, he did not use the electrical motor. In the meantime, the electrical service lines drawn to the petitioner's service connection were stolen by somebody. Now, the petitioner intends to do agricultural operations again and therefore, he requested the respondents to



restore service connection but the respondents 2 and 3 have refused to restore the service connection and demanded a sum of Rs.25,830/- towards installation charges. Hence, the petitioner has filed the present writ petition.

3.Learned counsel appearing for the respondents submitted that service connection was not in use for the past three years and the electrical wires drawn to the petitioner's service connection were stolen by some third parties and therefore, the petitioner was directed to pay sum of Rs.25,830/- towards connection charges. Since the petitioner did not pay the amount, the respondents are not in a position to restore service connection.

4.Admittedly, the petitioner granted with a service connection in S.C.No.0525001444 and the petitioner did not use the service connection for some time. In the meantime, the electrical wires drawn to the petitioner's service connection were stolen for which the petitioner is not responsible and he cannot be penalised. It is the duty of the respondents to draw new lines to the petitioner's service connection and the respondents cannot demand amount for that purpose. In the above circumstances, the respondents are directed to draw lines and effect service connection to the petitioner's land within a period of four weeks from the date of receipt of a copy of this order.

5.With the above direction, the writ petition stands disposed of. No costs.

Sd/-
Assistant Registrar(CSII)

/True Copy/

Sub-Assistant Registrar

+One cc to Mr.R.Murugan, Advocate, SR.No.52777

sms
RL/2C/2P/CVC/SAR1/3/4/2018

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