

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 21.02.2018****CORAM:****THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN****W.P. (MD) No.23231 of 2017**

R.Sumathi

... Petitioner

-Vs-

The Assistant Engineer,
Tamil Nadu Generation and Distribution Corporation Limited,
Distribution/Urban,
Devakottai, Sivagangai District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondent to consider and pass orders on the petitioner's representation dated 17.11.2017 to provide electricity service connection to her residential house comprised in Survey No.K/17/15, situated at Kailasanathapuum, Thendral Nagar, Devakottai, Sivagangai District, within the time limit that may be stipulated by this Court.

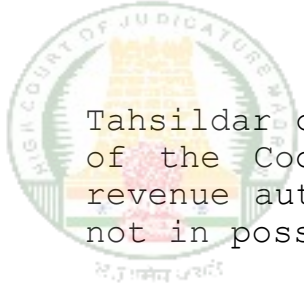
For Petitioner	: Mr.G.Thalaimutharasu
For Respondent	: Mr.E.P.Venkateshwar, for Mr.S.M.S.Johnny Basha

ORDER

This writ petition has been filed, seeking a direction to the respondent to provide electricity service connection to the petitioner's residential house.

2.According to the petitioner, she occupied the poromboke land in Survey No. K/17/15, situated at Kailasanathapuum, Thendral Nagar, Devakottai, Sivagangai District and she has filed an application seeking patta before the revenue authority and the same is pending. Pending the application, the petitioner has also filed an application before the respondent seeking electricity service connection, but the respondent has refused the same. In the above circumstances, the present writ petition has been filed.

3.The learned counsel appearing for the respondent would submit that admittedly the petitioner's house is situated in poromboke land and as per Section 27(12)(i) of the Tamil Nadu Electricity Distribution Code (TNERC), the petitioner should get No Objection Certificate from the Officer not below the rank of Deputy



Tahsildar or file an undertaking affidavit as per Clause 27(12)(ii) of the Code, in absence of a No Objection Certificate from the revenue authorities. In the above circumstances, the respondent is not in possession to give electricity service connection.

4. Considering the facts and circumstances of the case, the petitioner is directed to produce No Objection Certificate from the officer not below the rank of Deputy Tahsildar or approach the respondent and file an undertaking affidavit as per Clause 27(12)(ii) of the Code. On submitting the No Objection Certificate or undertaking affidavit, the respondent is directed to consider the same and grant electricity service connection to the petitioner's residential house.

5. Accordingly, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS-III)

/True Copy/

Sub Assistant Registrar

To

The Assistant Engineer,
Tamil Nadu Generation and Distribution Corporation Limited,
Distribution/Urban,
Devakottai, Sivagangai District.

+1cc to Mr.N.MUNIRAJ, Advocate in SR. No.50343

myr

MK/SKN RSK/SAR-2/08.03.2018/2P/3C

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21.02.2018