



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **25.07.2018**

CORAM:

THE HONOURABLE MR.JUSTICE **M.S.RAMESH**

W.P.(MD) No.80 of 2017

WEB COPY

N.Paandurengan

... Petitioner

Vs.

1. The Executive Engineer (Distribution),
Tamil Nadu Generation and
Distribution Corporation (TNEB),
Sivakasi,
Virudhunagar District.

2. The Assistant Executive Engineer,
Tamil Nadu Generation and
Distribution Corporation (TNEB),
Sivakasi Town,
Virudhunagar District.

3. The Junior Engineer,
Tamil Nadu Generation and
Distribution Corporation (TNEB),
Satciyapuram,
Sivakasi West,
Virudhunagar District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, calling for the records relating to the impugned order passed by the first respondent vide No. செ.பொ/ப/ச/தொநுஉ.II/கோSEG/அ.எ.2507/30.11.16 dated 30.11.2016 and quash the same as illegal and consequently to direct the respondents to provide III phase electricity supply to the petitioner's house situated at Plot No.11, KSA Rajadurai Nagar, Sivakasi West, Virudhunagar District.

For Petitioner : Mr.B.Jeyakumar

For Respondents : Mr.Kasinathadurai
standing counsel

ORDER

The request of the petitioner for electricity service connection from the town feeder, has been rejected by order dated 30.11.2016.

2.The learned counsel for the petitioner submitted that the respondents herein, had effected III phase electricity service connection to one Govindarajan. whereas the respondents had rejected the petitioner's request, which is unsustainable.



3.The learned standing counsel appearing for the respondents submitted that the petitioner's house metering point is situated about 58 mts., from town feeder LT supply and the rural feeder LT supply is situated at only about 10 mts., from his house. Since the rural feeder passes very close to the petitioner's house and hence, he is entitled for electricity service connection from rural feeder LT supply.

4.The learned senior counsel for the respondents further submitted that insofar as one Kovindarajan is concerned, his house is situated about 21 mts., from the town feeder LT supply and the rural feeder LT supply is situated about 37 mts. Since nearest feeder happen to the town feeder, III phase LT supply connection was connected to his house from therein. Hence, he sought for dismissal of the writ petition.

5.I have considered the rival submission of both side parties. It is not in dispute that the petitioner's neighbour has been granted with the electricity service connection from the nearest town feeder supply.

6.The petitioner claims that his residence is situated at the opposite side of his neighbor's house. The specific request of the petitioner is that the III phase of line should be effected from the town feeder supply only. There is no reason as to why the service connection should not be taken from the town feeder supply. There is no requisition also to that effect that his service connection should not be given from the town feeder supply. As such, the respondents are not justified in rejecting the petitioner's request for electricity supply.

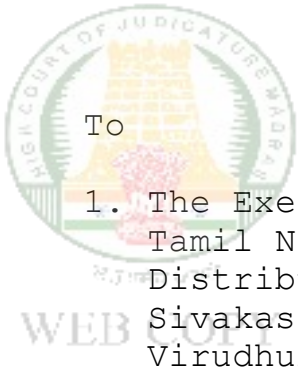
7.In the result, the impugned order passed by the first respondent vide No.செ.பொ/ப/ச/தொழு. II/கோSEG/அ.எ.2507/30.11.16 dated 30.11.2016, is quashed and the second respondent is directed to grant III phase service connection from the town feeder LT supply to his residence at Plot No.11, KSA Rajadurai Nagar, Sivakasi West, Virudhunagar District, after collecting the necessary service connection fixed by the respondents. Such an exercise shall be completed within a period of two weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar(AS)

/True Copy/

Sub Assistant Registrar(CS-IV)



To

1. The Executive Engineer (Distribution),
Tamil Nadu Generation and
Distribution Corporation (TNEB),
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Virudhunagar District.
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Satciyapuram,
Sivakasi West,
Virudhunagar District.

+1cc to Mr.B.Jeyakumar, Advocate Sr.No.75227

MM

VB/KAK/SAR4/10.08.2018/3P/5C

W.P. (MD) No.80 of 2017
25.07.2018