

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 14.02.2019

CORAM
THE HONOURABLE MR.JUSTICE T.RAJA

W.P. No.15435 of 2009

P.S.Kadheriesan

.. Petitioner

-vs-

1.The Junior Engineer,
1st Grade, Coimbatore Electricity Distribution,
Circle/South, T.N.E.B.,
Palathurai, Coimbatore-641 105.

2.The Assistant Divisional Engineer,
Coimbatore Electricity Distribution Circle/South,
T.N.E.B., Madukkarai,
Coimbatore-641 105.

3.The Executive Engineer,
Coimbatore Electricity Distribution Circle/South,
T.N.E.B. (South),
Kuniamuthur, Coimbatore-641 105. .. Respondents

Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorarified mandamus to call for the records on the file of the first respondent in Proceedings Ka.No.E.Mi.Po./Sha/Padhu/Kattu Va.Aa/Va.No. /08-09 and dated 22.09.2008 and quash the same as illegal, incompetent and without jurisdiction and further direct the respondents to effect/grant electricity service connection to the petitioners building in Plot No.36 situated in Survey number 326/2 and 327/1A in Sri Rajeswari Nagar at Madukkarai Village, Madhukkarai town Panchayat, Coimbatore District without insisting on the approval from the local Panchayat.

(Prayer amended as per Court order dated 28.08.2009 in M.P. No.1 of 2009 in W.P. No.15435 of 2009)

For Petitioner :: Mr.K.Rajasekaran

For Respondents:: Mr.S.K.Raameshuwar,
Standing Counsel

ORDER

The writ petition has been filed challenging the impugned Proceedings Ka.No.E.Mi.Po./Sha/Padhu/Kattu Va.Aa/Va.No. /08-09 dated 22.09.2008 and seeking a direction to the respondents to effect/ grant electricity service connection to the petitioner's building situated at Plot No.36, Sri Rajeswari Nagar, Madukkarai Village, Madhukkarai town Panchayat, Coimbatore District without insisting on the approval from the local Panchayat.

2.It is averred by the petitioner that he is the owner of the land to an extent of 3.76 acres in G.S. No.326/2, 327/A situated at Madukkarai Village, Madukkarai Town Panchayat and he has decided to develop the above mentioned property and approached the Coimbatore Local Planning Authority, Coimbatore, who after processing his application, has given a layout approval on 08.08.2005. Pursuant to the same, the petitioner started making developments and as per the plan, he made 40 plots in the above mentioned property. Since the petitioner needed electricity supply, he approached the first respondent with an application dated 16.08.2008 for getting service connection. As the same was rejected on the ground that the petitioner did not submit the approved building plan from the Local Panchayat, he is before this Court seeking the above prayer.

3.When the matter was taken up for hearing, the learned Standing Counsel appearing for the respondents would submit that the petitioner was asked to produce the building plan approval for construction of 40 plots, but, without even producing the same, he has come to this Court.

4.This Court, finding justification on the part of the respondents in calling upon the petitioner to produce the building plan approval, directs the petitioner to produce the building plan approval for construction of 40 plots and necessary documents. On production of the same, the first respondent is directed to consider the same for grant of electricity service connection to the petitioner. Accordingly, the writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

vga

To

1.The Junior Engineer,
1st Grade, Coimbatore Electricity Distribution,
Circle/South, T.N.E.B.,
Palathurai, Coimbatore-641 105.

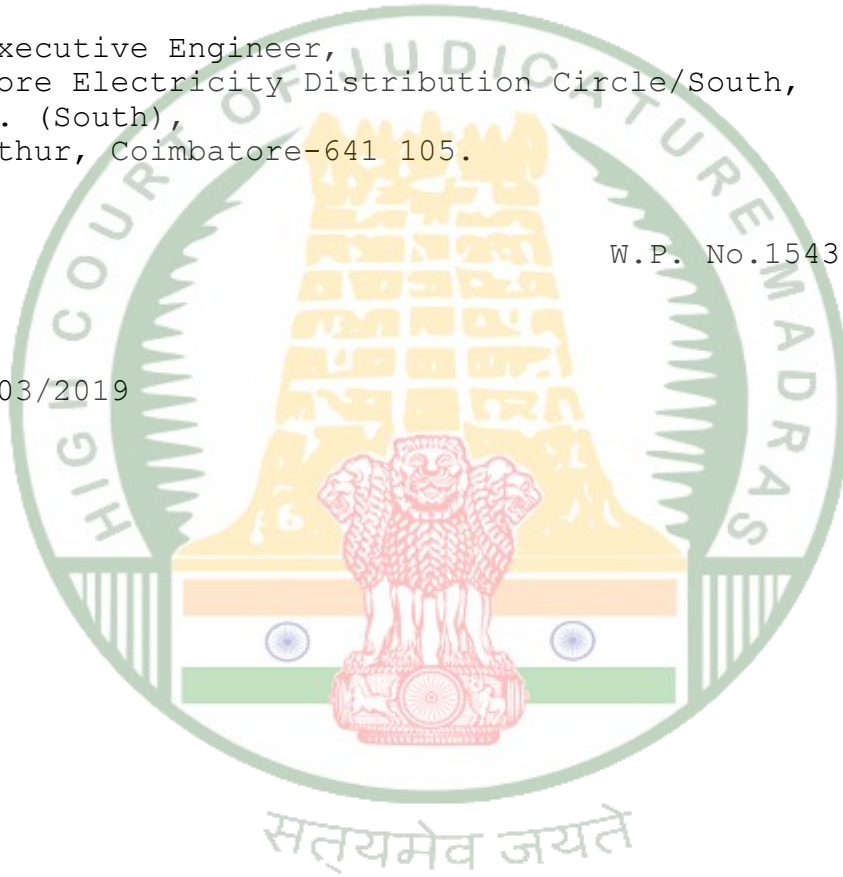
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Kuniamuthur, Coimbatore-641 105.

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rrs 19/03/2019



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