

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.08.2019

CORAM :

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.21399 of 2011
and M.P.No.2 of 2011

V.M.Ponnathal

...Petitioner

Versus

- 1.The Chief Engineer,
Erode Electricity Distribution Circle,
Tamil Nadu Electricity Board,
Erode District.
- 2.The Superintending Engineer,
Erode Electricity Distribution Circle,
Tamil Nadu Electricity Board,
Erode District.
- 3.The Executive Engineer,
Distribution / South,
No.949, E.V.N.Road,
Erode Electricity Distribution Circle,
Tamil Nadu Electricity Board,
Erode-9.
- 4.The Junior Engineer,
Tamil Nadu Electricity Board,
Thamaraipalayam,
Erode District.

...Respondents

Prayer:Writ petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus, calling for the records relating to the impugned order passed by the 3rd respondent in Ka.No.Se.Po.V.The.E.Tho Nu Vu2/Ko.26/na.4280/tha.pa.036/2011-12, dated 05.05.2011, quash the same and consequently direct the 3rd respondent to grant electricity connection to the well situated in S.F.No.592/2, punjai Kilambadi Village, Erode District.

For Petitioner : Mr.D.Balachandran
for Mr.R.N.Amarnath

For Respondents : Mr.S.K.Raameshwar
Standing Counsel-TNEB

O R D E R

The writ petition has been filed challenging the impugned order dated 05.05.2011 passed by the 3rd respondent in Ka.No.Se.Po.V.The.E.Tho.Nu Vu2/Ko.26/na.4280/tha.pa.036/2011-12, and consequently direct the 3rd respondent to grant electricity connection to the well situated in S.F.No.592/2, punjai Kilambadi Village, Erode District.

2.The petitioner's husband was the absolute owner of the lands comprised in S.F.No.592/2, Punjai Kilambadi Village, Erode District. He had applied for electricity connection before the respondents on 20.05.1988, for the well situated in the above said land for agricultural purpose and the respondents have informed the ready status to the petitioner's husband by proceedings dated 13.02.2006 and asked to submit the required documents for providing electricity connection on or before 22.05.2006. In the meantime, the petitioner's husband died and the petitioner was not aware of the proceedings. After the death of her husband, she had applied for transfer of the electricity connection in her name and she was instructed by the 4th respondent to produce relevant certificate and documents for the same. Since the petitioner could not get the certificate from the Revenue Department, due to election duty, she had requested the respondents to grant some more time in order to produce the relevant documents as required by the respondents. However, the 3rd respondent rejected the application of the petitioner seeking for extension of time to produce the relevant documents and had cancelled the electricity connection for the agricultural well, vide proceedings in Ka.No.Se.Po.V.The.E.Tho.Nu.Vu2/Ko.26/na.4280/tha.pa.036/2011-12, dated 05.05.2011. Challenging the said proceedings, the present writ petition has been filed.

3.Heard Mr.D.Balachandran, learned counsel for the petitioner and Mr.S.K.Raameshwar, learned standing counsel for the Tamilnadu Electricity Board.

4.The learned counsel for the petitioner submitted that the petitioner could not obtain the certificate from the Revenue Authorities since the revenue officials were engaged in the election duty at that relevant point of time. He further submitted that pending writ petition, the petitioner had obtained all the required documents and ready to submit the same before the respondents. Hence, he seeks direction from this

Court to permit the petitioner to submit all the necessary documents before the respondents and on receipt of the same, the respondents shall effect service connection to the petitioner's agricultural well.

5.The learned standing counsel for the respondent would submit that if the petitioner is ready to produce all the documents, she may submit the same along with fresh application and on receipt of the same, the respondents shall consider the matter afresh and provide electricity connection.

6.In view of the above submissions, this Court is inclined to grant liberty to the petitioner to produce all the relevant documents before the respondents alongwith a copy of this order within a period of one week from the date of receipt of copy of this order and on receipt of the same, the respondents authorities shall consider the same and transfer the service connection to the name of the petitioner and effect service connection, if otherwise in order and as per the scheme, within a period of eight weeks.

7.With the above directions, this writ petition stands disposed of. No costs. Connected miscellaneous petition is also closed.

s/d-
Assistant Registrar (CS VII)

True Copy

Sub-Assistant Registrar

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To

1.The Chief Engineer,
Erode Electricity Distribution Circle,
Tamil Nadu Electricity Board,
Erode District.

2.The Superintending Engineer,
Erode Electricity Distribution Circle,
Tamil Nadu Electricity Board,
Erode District.

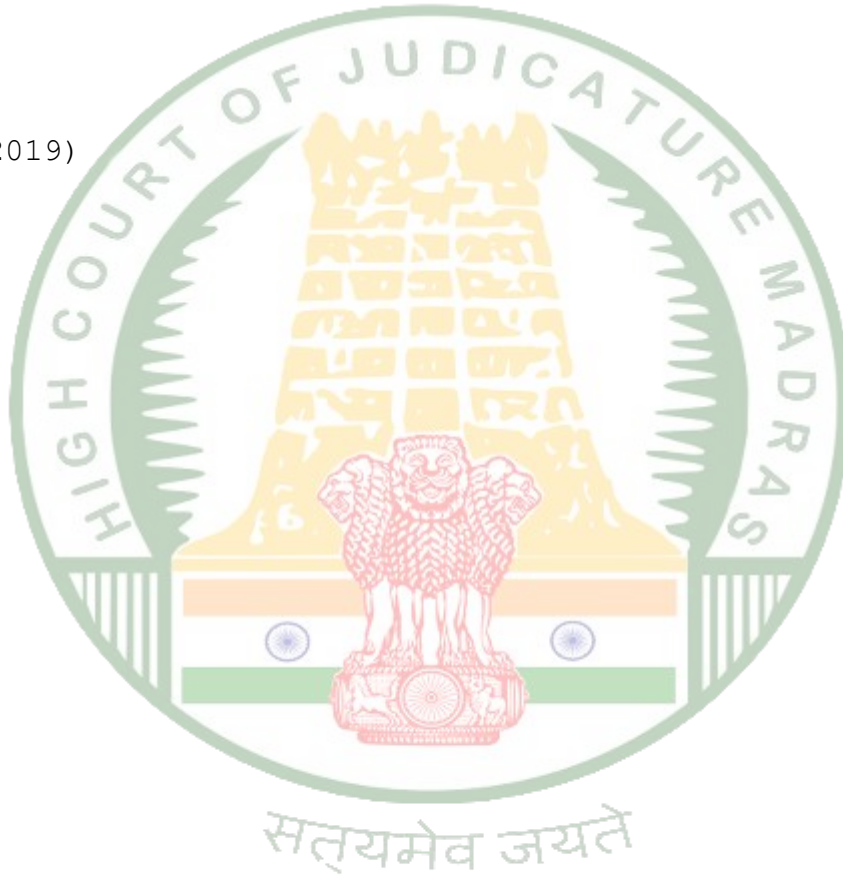
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Thamaraipalayam,
Erode District.

+1 CC to Mr.D.Balachandran, Advocate sr 71938.

W.P.No.21399 of 2011

SSI (CO)
SP(27/08/2019)



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