

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.04.2019

CORAM:

THE HON'BLE MR. JUSTICE T.RAJA

W.P.No.8727 of 2019

P.Kathiravan

.. Petitioner

Vs

1.Executive Engineer,
Tamil Nadu Generation Electricity
Distribution Corporation Limited,
(TANGEDCO) (Operation & Maintenance),
Ariyalur, Ariyalur District.

2.The Assistant Engineer,
Tamil Nadu Generation Electricity
Distribution Corporation Limited,
(TANGEDCO) (Operation & Maintenance),
Rural Area, Keelapalur, Ariyalur District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus to direct the respondents to place the petitioner in the seniority priority list of Rs.25,000/- self-finance scheme and to provide the petitioner with electricity connection for his agricultural lands in Survey No.612/3, with an extent of measuring 1.72.5 ares, of Arungal Village, Ariyalur District, based upon his application dated 02.04.2008.

For petitioner : Mr.S.Senthil

For Respondents : Mr.P.Gunaraj, Standing Counsel

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ORDER

The petitioner, claiming to be an owner of agricultural lands situated in Survey No.612/3 having an extent of 1.72.5 ares of Arungal Village, Ariyalur District, had filed an application on 02.04.2008, seeking 7.5 HP electricity connection for the above said land to extract water from his Well using pump-set for agricultural purposes. On payment of Rs.50/-, he was given acknowledgment for registration of his

application. After some time, he was informed about the self-finance scheme provided by the Tamil Nadu Government, which gives preference for providing electricity service connection early on payment of certain fee. In view thereof, he had also moved an application on 07.10.2008 by paying Rs.500/- to avail Rs.25000/- self-finance scheme. It is further stated that pending his application, the respondent had erected two transformers nearby his land and by using the same, the neighboring land owners were also provided with electricity service connection for doing their agricultural activities. However, despite many reminders, the respondents have not come forward to provide free electricity service connection to the petitioner. Therefore, he had applied for Horticulture electricity connection under category IIIA1 for his land on 16.11.2016, but, he was informed by the respondents to rescind his application requesting for self-finance scheme and thereby he was also informed that his application dated 02.04.2008 would be converted seeking regular electricity connection. Later-on, when he had approached the respondents, he was informed that his application for Horticulture electricity connection has been temporarily suspended, as a result, the petitioner has lost his seniority under the free electricity service connection, for which he made an application on 02.04.2008.

2. It is stated by the learned counsel for the petitioner that since the petitioner had already filed an application on 02.04.2008 seeking free electricity service connection for the above said agricultural lands, that was forced to be cancelled in view of wrong advise given by the respondents, the same should be restored back, so that the petitioner will be entitled to get free electricity service connection as per his original seniority.

3. Mr.P.Gunaraj, learned standing counsel appearing for the respondents submitted that the application dated 02.04.2008 of the petitioner has not been cancelled and the Electricity Board has given free electricity service connection till the application filed on 18.08.2007 and therefore, as and when he is under due based on his seniority, his request will be considered.

4. Learned standing counsel has also produced a letter dated 30.03.2019 of the second respondent to say that his original application dated 02.04.2008 for getting free electricity service connection has not been cancelled. The said letter dated 30.03.2019 of the second respondent is recorded.

5. In view of the above, the respondents are directed to provide free electricity service connection to the petitioner as and when he reaches the seniority position based on his

application dated 02.04.2008. With this direction, the writ petition is disposed of. No Costs.

Sd/-

Assistant Registrar (CS-V)

//True Copy//

Sub Assistant Registrar

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To

1.Executive Engineer,
Tamil Nadu Generation Electricity
Distribution Corporation Limited,
(TANGEDCO) (Operation & Maintenance),
Ariyalur, Ariyalur District.

2.The Assistant Engineer,
Tamil Nadu Generation Electricity
Distribution Corporation Limited,
(TANGEDCO) (Operation & Maintenance),
Rural Area, Keelapalur, Ariyalur District.

+1cc to Mr. P.Gunaraj, Advocate, S.R.No. 32216
+1cc to Mr. S.Senthil, Advocate, S.R.No. 32456

W.P.No.8727 of 2019

SV(CO)
GN(02/05/2019)

सत्यमेव जयते
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