

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 30.07.2019

CORAM:

THE HONOURABLE DR. JUSTICE G.JAYACHANDRAN

Writ Petition No.18235 of 2019

K.Hudson Kumar

...Petitioner

Vs

1.The Tamilnadu State Electricity Board,
Represented by its Chairman,
10th Floor, N.P.K.K.R.Maligai,
No.144, Anna Salai,
Chennai-600 002.

2.The Assistant Engineer (O & M),
TANGEDCO/NED,
Aravenu,
Kottakombai,
Kothagiri.

3.The President,
Village Panchayat,
Konavakarai,
The Nilgiris District.

(R3 impleaded vide order dated 22.07.2019,
made in W.M.P.No.20722/19 in W.P.No.18235/19)

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the 2nd respondent to grant permanent electricity connection to the petitioner premises situated at Survey No.426/4B, Settupettai, Thattapallam Post, Kottakombai, Kothagiri, The Nilgiris District.

For petitioner : Mr.V.Karthikeyan

For Respondents : Mr.S.K.Rameshwar
Standing counsel for R1 & R2

: No appearance for R3

ORDER

The petitioner herein sought electricity connection for his land. On receipt of the petitioner's application, the 2nd respondent has directed the petitioner herein to furnish building plan permission, No Objection Certificate from the local body and tax receipts. The petitioner herein contends that, he has furnished building plan approval and tax receipts and it is not necessary for him to give NOC from the local authority.

2. Whereas, the learned counsel appearing for the respondents 1 and 2 would submit that since it is an hill area, No Objection Certificate from the local authority is necessary.

3. In the said circumstances, this Court directed the petitioner herein to implead the local body is one of the respondent. The petitioner

has impleaded the President, Village Panchayat, Konavakarai, The Nilgiris District as the 3rd respondent.

4. Now, it is brought to the notice of this Court by the learned Standing counsel for the respondents 1 and 2 that after the expiry of elected body tenure, only Special Officer is administering the Village panchayat.

5. In the said circumstances, instead of keeping the matter pending, this Court is of the opinion that to direct the local body to consider the representation of the petitioner to issue NOC and pass orders within a period of four weeks from the receipt of the application. If the petitioner is able to submit all the necessary documents to the 2nd respondent, he shall process the application for service connection and pass appropriate orders.

6. The learned counsel for the petitioner would submit that the electricity connection is not provided to him because there is an apprehension in the minds of the authority that, the petitioner will use the premises as the religious prayer hall which he really not intend to do so. If so, the local authority can get an undertaking from the petitioner that he will not misuse the service connection for any other purpose except for residential purpose and thereafter issue NOC in this regard.

7. With the above directions, this Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar

//True copy//

Sub Assistant Registrar

rpl

To

1.The Tamilnadu State Electricity Board,
Represented by its Chairman,
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No.144, Anna Salai,
Chennai-600 002.

2.The Assistant Engineer (O & M),
TANGEDCO/NED,
Aravenu,
Kottakombai,
Kothagiri.

3.The President,
Village Panchayat,
Konavakarai,
The Nilgiris District.

+lcc to Mr..V.Karthikeyan, Advocate SR.No.65981

Writ Petition No.18235 of 2019

PPA (CO)
GMY (30/08/2019)

सत्यमेव जयते

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