

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.06.2019

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.21695 of 2017

and

W.M.P.No.16977 of 2019

K.Narayanasamy

...Petitioner

Vs.

1. Executive Engineer  
Maintenance and Distribution  
Tamilnadu Electricity Board  
Pollachi  
Coimbatore District
2. The Assistant Engineer  
Distributions and Maintenance  
Tamilnadu and Electricity Board  
Pedampampatti Post  
Udumalpet  
Tirupur District
3. The Junior Engineer  
Distribution and Maintenance  
Tamilnadu and Electricity Board  
Kongalnagaram  
Udumalpet  
Tirupur District
4. The Superintending Engineer  
Udumalpet Distribution Circle  
Udumalpet  
Tirupur District

... Respondents

Prayer:

The writ petition filed under Article 226 of the Constitution of India, to issue a writ of Certiorarified Mandamus, to call for the entire records relating to the proceedings in Ka.No.Mae.Pa.Po/Udu/U/Se/Po/Pothu/U Me Po II/Ko. Tha Aa.U.Sa 2005/V. Pathivu.No.16/2017 Aa.No.430/2017 dated 10.04.2017 on the file of the 4<sup>th</sup> respondent and quash the same and direct the 1<sup>st</sup> respondent to grant electricity connection to

the petitioner on the basis of the 1<sup>st</sup> respondent proceedings dated Ka.No.Sa.Po/Po/Tho/Thu/Oo/ Kattu.vivsayam/A/No.253 of 2010 dated 01.11.2010 in favour of the petitioner.

For Petitioner : Mr.C.Veeraraghavan

For Respondents : Mr.S.K.Rameshwar

#### O R D E R

W.M.P.No.16977 of 2019 was filed to fix an early date for final disposal of the above writ petition. By consent the Writ Petition itself is taken up for final disposal.

2.The petitioner has filed this Writ Petition seeking issuance of a writ of Certiorarified Mandamus, to call for the entire records relating to the proceedings in Ka.No.Mae.Pa.Po/Udu/U/Se/Po/Pothu/U Me Po II/Ko. Tha Aa.U.Sa 2005/V. Pathivu.No.16/2017 Aa.No.430/ 2017 dated 10.04.2017 on the file of the 4<sup>th</sup> respondent and quash the same and direct the 1<sup>st</sup> respondent to grant electricity connection to the petitioner on the basis of the 1<sup>st</sup> respondent proceedings dated Ka.No.Sa.Po/Po/Tho/Thu/Oo/Kattu.vivsayam/A/No.253 of 2010 dated 01.11.2010 in favour of the petitioner.

3.The issue involved in this case is that the petitioner sent a letter dated 04.12.2010 seeking one month time to produce the documents as requested by the 1<sup>st</sup> respondent for free electricity connection for agricultural purpose. The said request was not considered by the 1<sup>st</sup> respondent. Hence, the petitioner in order to find out the position of his letter, sent a petition to the 1<sup>st</sup> respondent under RTI Act to know about the status of the letter sent by him. The 1<sup>st</sup> respondent also sent a communication to that effect that the application sent by the petitioner is not available with the officer. Being not satisfied with the information, the petitioner preferred an appeal before the 4<sup>th</sup> respondent. The 4<sup>th</sup> respondent also replied that the petitioner has not sent any letter to the authorities concerned.

4.The learned counsel for the petitioner would submit that a letter dated 04.12.2010 has been sent to the 1<sup>st</sup> respondent for free electricity connection for the agricultural purpose. Till now the same has not been considered by them. He would further submit that the letter was sent by him in the year 2010 and this court may pass appropriate orders to consider the same for effecting free electricity connection for agricultural purpose.

5.The learned counsel appearing for the Electricity Board

would fairly concede the request of the petitioner and would submit that the petitioner's letter will be considered as per the seniority if it is available with them.

6. In view of the above, this court is inclined to issue a direction to the respondent board to consider the letter sent by the petitioner on 04.12.2010 as per the seniority for free electricity connection for agricultural purposes if the said letter is available with them and pass orders on merits and in accordance with law.

7. Accordingly, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

kas  
To

1. Executive Engineer  
Maintenance and Distribution  
Tamilnadu Electricity Board  
Pollachi, Coimbatore District
2. The Assistant Engineer  
Distributions and Maintenance  
Tamilnadu and Electricity Board  
Pedampampatti Post, Udumalpet  
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3. The Junior Engineer  
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Kongalnagaram, Udumalpet  
Tirupur District
4. The Superintending Engineer  
Udumalpet Distribution Circle  
Udumalpet, Tirupur District

+1cc to Mr.C.Veeraraghavan, Advocate, S.R.No.51951

W.P.No.21695 of 2017

and

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VBA(CO)  
CS/29/07/2019