



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.03.2019

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

W.P. (MD) No. 291 of 2019

Vincent K. Peter

... Petitioner

Vs.

1. The District Collector,
Nagercoil,
Kanyakumari District.

2. The Superintending Engineer,
Tamil Nadu Generation & Distribution
Corporation Limited, (TANGEDCO),
Formerly known as TNEB,
Nagercoil,
Kanyakumari District.

3. The Executive Engineer,
Tamil Nadu Generation & Distribution
Corporation Limited, (TANGEDCO),
Formerly known as TNEB,
Meenachel,
Kanyakumari District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus by directing the respondents No. 2 and 3 herein to provide the Electricity Service Connection to the Kurusumalai Holy Cross Adoration Chapel, residing and resting places comprised in R.S.No.1509/3 situated at Kaliyal Village, Vilavancode Taluk, Kanyakumari District, on the basis of the petitioner's representation dated 16.10.2018.

For Petitioner

: Mr. G. Ramanathan

For 1st Respondent

: Mr. M. Karuppasamy
Government Advocate

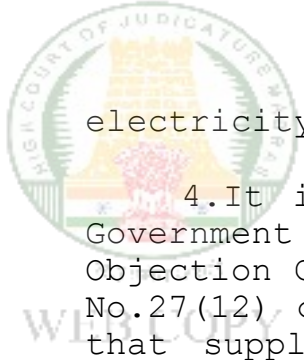
ORDER

Heard the learned counsel on either side.

2. The petitioner has put up a chapel in R.S.No.1509/3 in Kaliyal Village, Vilavancode Taluk, Kanyakumari District.

<https://hcservices.ecourts.gov.in/hcservices/>

3. The petitioner wants the EB authorities to provide



electricity service connection for the same.

4.It is not in dispute that the chapel has been put up on a Government poromboke land. The petitioner has not obtained any No Objection Certificate from the jurisdictional Tahsildar. Regulation No.27(12) of Tamil Nadu Electricity Distribution Code, 2004, states that supply of energy shall be given to the poromboke lands / Government lands on production of No Objection Certificate obtained from the concerned officer of the Government of Tamil Nadu.

5.In this case, no such No Objection Certificate has been produced from the jurisdictional Tahsildar. It is further seen that a place of worship can be put up only after obtaining a prior approval from the District Collector. In this case, there is nothing on record to show that it was put up after getting prior approval from the District Collector. Therefore, for these two reasons, I decline to grant the relief sought for in this writ petition. The writ petition is dismissed. No costs.

Sd/-

Assistant Registrar (T AND P)

// True Copy //

Sub Assistant Registrar(CS)

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To

The District Collector,
Nagercoil,
Kanyakumari District.

1CC TO THE SPL GOVT PLEADER SR 56594
1CC TO MR. G. RAMANATHAN, ADVOCATE SR 56225

KK

10/04/2019

2P 4C

W.P. (MD) No.291 of 2019

25.03.2019