



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.03.2019

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

W.P. (MD) Nos. 3148, 3150, 3151 and 3560 of 2019
and
W.M.P. (MD) No. 2787 of 2019

W.P. (MD) No. 3148 of 2019:

Nagalakshmi

... Petitioner

Vs.

1. The Superintendent Engineer,
Virudhunagar Electricity Circle,
Tamil Nadu Generation and Distribution
Corporation Limited,
Virudhunagar District - 626 001.

2. The Assistant Engineer,
(Operation and Maintenance),
Tamil Nadu Generation and Distribution
Corporation Limited,
Sethur Sub Division, Thalavaipuram,
Rajapalayam Taluk,
Virudhunagar District.

... Respondents

(Cause title amended vide Court order
dated 19.03.2019 in
W.M.P. (MD) No. 3104 of 2019)

PRAYER: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari and Mandamus by calling for the records of the impugned order passed by the second respondent made in Ka.No.Vu.Me.Po/E & Po/ Thalavai/Ko.No.011/2019 dated 05.01.2019 and quash the same as illegal and consequently direct the second respondent to give electricity connection to petitioner's newly constructed house with the plinth area 372 sq. ft. comprised in Natham Survey number 330/3Q1A at Pambalamman Kovil Street, Ward No.14, Chettiyarpatti Town Panchayat, Rajapalayam Taluk, Virudhunagar District.

For Petitioner

: Mr. A. Balaji

For Respondents

: Mr. G. Kasinathandurai

**W.P. (MD).No.3150 of 2019:**

Saraswathi

... Petitioner

Vs.

1.The Superintendint Engineer,
Virudhunagar Electricity Circle,
Tamil Nadu Generation and Distribution
Corporation Limited,
Virudhunagar District -626 001.

2.The Assistant Engineer,
(Operation and Maintenance),
Tamil Nadu Generation and Distribution
Corporation Limited,
Sethur Sub Division, Thalavaipuram,
Rajapalayam Taluk,
Virudhunagar District.

...

Respondents

(Cause title amended vide Court order
dated 19.03.2019 in
W.M.P. (MD).No.3106 of 2019)

PRAYER: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus by calling for the records of the impugned order passed by the second respondent made in Ka.No.Vu.Me.Po/E & Po/ Thalavai/Ko.No.010/2019 dated 05.01.2019 and quash the same as illegal and consequently direct the second respondent to give electricity connection to petitioner's newly constructed house with the plinth area 372 sq. ft. comprised in Natham Survey number 330/3Q1A at Pambalamman Kovil Street, Ward No.14, Chettiyarpatti Town Panchayat, Rajapalayam Taluk, Virudhunagar District.

For Petitioner : Mr.A.Balaji

For Respondents : Mr.G.Kasinathandurai

W.P. (MD).No.3151 of 2019:

K.Manjula

... Petitioner

Vs.

1.The Superintendint Engineer,
Virudhunagar Electricity Circle,
Tamil Nadu Generation and Distribution
Corporation Limited,
Virudhunagar District -626 001.



2.The Assistant Engineer,
(Operation and Maintenance),
Tamil Nadu Generation and Distribution
Corporation Limited,
Sethur Sub Division, Thalavaipuram,
Rajapalayam Taluk,
Virudhunagar District.

... Respondents

(Cause title amended vide Court order
dated 19.03.2019 in
W.M.P. (MD).No.3105 of 2019)

PRAYER: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus by calling for the records of the impugned order passed by the second respondent made in Ka.No.Vu.Me.Po/E & Po/ Thalavai/Ko.No.009/2019 dated 05.01.2019 and quash the same as illegal and consequently direct the second respondent to give electricity connection to the petitioner's newly constructed house with the plinth area 372 sq. ft. comprised in Natham Survey number 330/3Q1A at Pambalamman Kovil Street, Ward No.14, Chettiyarpatti Town Panchayat, Rajapalayam Taluk, Virudhunagar District.

For Petitioner : Mr.A.Balaji

For Respondents : Mr.G.Kasinathandurai

W.P. (MD) .No.3560 of 2019:

Esakkiammal

... Petitioner

Vs.

1.The Executive Engineer,
Tamil Nadu Electricity Board,
Rajapalayam,
Virudhunagar District.

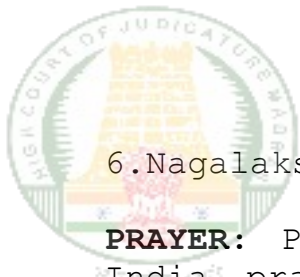
2.The Assistant Engineer,
Tamil Nadu Electricity Board,
Distribution and Maintenance,
Thalaivaipuram,
Virudhunagar District.

3.The Assistant Engineer,
Tamil Nadu Electricity Board,
Distribution and Maintenance,
Settur,
Virudhunagar District.

4.Manjula

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

5.Saraswathi



6.Nagalakshmi

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus by forbearing the respondents 1 to 3 from taking any steps for the purpose of giving electricity service connection to the 4 to 6 respondents situated in Sy.No.330/3Q and new Sy.No.330/3Q 1A at Pampalamman Kovil Street, Chettiyarpatti Town Panchayat, Virudhunagar District till deciding the suit in O.S.No.285 of 2018 pending on the file of the Subordinate Court, Srivilliputhur and consider the petitioner's representation dated 05.02.2019.

For Petitioner : Mr.S.Ramakrishnan

For Respondents 1 to 3 : Mr.G.Kasinathandurai

For Respondents 4 to 6 : Mr.A.Balaji

ORDER

Heard the learned counsel on either side.

2.The only issue that arises for consideration in these writ petitions is whether the applicants Manjula, Saraswathi and Nagalakshmi are entitled to be provided with electricity service connection for their petition mentioned shops.

3.It is not in dispute that till date the petitioners have not obtained any planning approval for the construction put up by them. Without planning approval, TANGEDCO would not be justified in granting the electricity service connection. Therefore, this Court disposes of these writ petitions by holding that TANGEDCO will not grant any electricity service connection to the applicants unless they are able to produce planning and building approval for the constructions in question. Of course, there should not be any restraining order passed against the TANGEDCO in respect of the petition mentioned item.

4.With the above direction, these writ petitions are disposed of accordingly. No costs. Consequently, the connected W.M.P.(MD). No.2787 of 2019 is also closed.

Sd/-

Assistant Registrar (Writs)

// True Copy //

Sub Assistant Registrar (CS)



1.The Superintendint Engineer,
Virudhunagar Electricity Circle,
Tamil Nadu Generation and Distribution
Corporation Limited,
Virudhunagar District -626 001.

2.The Assistant Engineer,
(Operation and Maintenance),
Tamil Nadu Generation and Distribution
Corporation Limited,
Sethur Sub Division, Thalavaipuram,
Rajapalayam Taluk,
Virudhunagar District.

3.The Executive Engineer,
Tamil Nadu Electricity Board,
Rajapalayam,
Virudhunagar District.

4.The Assistant Engineer,
Tamil Nadu Electricity Board,
Distribution and Maintenance,
Thalaivaipuram,
Virudhunagar District.

5.The Assistant Engineer,
Tamil Nadu Electricity Board,
Distribution and Maintenance,
Settur,
Virudhunagar District.

+1CC TO MR.G.KASINATHA DURAI, Advocate Sr. No.55411
+1CC TO MR.S.RAMAKRISHNAN, Advocate Sr. No.55238
+3CC TO MR.A.BALAJI, Advocate Sr. No.55262 TO 55264

W.P. (MD) Nos.3148, 3150, 3151
and 3560 of 2019

and
W.M.P. (MD) .No.2787 of 2019

19.03.2019

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