



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE **G.R.SWAMINATHAN**

W.P. (MD) No.20625 of 2018

Amuthadevi

... Petitioner

Vs

1.The Superintending Engineer,
TANGEDCO,
Tuticorin, Tuticorin District.

2.The Assistant Electrical Engineer,
TANGEDCO,
Ilayarasanaenthal Road,
Kovilpatti Town,
Tuticorin District.

3.The Tahsildar,
Kovilpatti.

... Respondents

(R3 is impleaded as suo motu as per order dated 10.04.2019)

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the respondents to provide electricity connection in SC No.073110170966 in Door No.697, Kovilpatti Town, Tuticorin District, on the basis of the representation dated 28.08.2018.

For Petitioner : Mr.J.C.Rathnavel Pandian

For R1 & R2 : Mr.A.U.Ramanathan

For R3 : Mr.K.Mu.Muthu

Additional Government Pleader

ORDER

The Tahsildar, Kovilpatti is *suo motu* impleaded as the third respondent. Mr.K.Mu.Muthu, learned Additional Government Pleader is directed to take notice for the impleaded third respondent.

2. Heard the learned counsel on either side.

3. The petitioner is having a Shop in Door No.697, Kovilpatti Town. She was enjoying the petition mentioned electricity service connection. The petitioner dismantled the old structure and put up a new construction. However, TANGECO declined to provide electricity service connection for the newly put up construction. Therefore, this writ petition came to be filed.

4. When the matter was taken up for hearing, the learned Standing Counsel appearing for the TANGEDCO stated that the



petitioner's Shop is located in a water body and that is why, they are unable to provide electricity service connection.

5. If as contended by the TANGEDCO, the petitioner's building is in a water body, the petitioner cannot be given service connection. Therefore, the petitioner is directed to submit an application to the third respondent with regard to the location of the petition mentioned Shop. The third respondent shall conduct an enquiry and submit a report within a period of four weeks as to whether the petitioner's Shop is in a water body or not. If the survey exercise of the third respondent reveals that the petitioner's Shop is not in a water body, TANGEDCO shall immediately restore the electricity service connection to the writ petitioner. If the petitioner's Shop is in a water body, the petitioner's request obviously cannot be granted.

6. With this direction, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (P AND A)

// True Copy //

Sub Assistant Registrar(CS I)

To
The Tahsildar,
Kovilpatti.

1 CC to M/s.J.C.RATHNAVEL PANDIAN, Advocate (SR-60141[F] dated 10/04/2019)

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10.04.2019

DS/ /SAR- (15.04.2019) 2P 3C