



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.10.2019

CORAM:

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

W.P (MD) No.21461 of 2019

K.Bose

.. Petitioner

Vs.

1.The Superintending Engineer,
Ramanathapuram Electricity Division Circle,
near RTO Office,
Ramanathapuram District.

2.The Assistant Executive Engineer,
Distribution,
Tamil Nadu Generation and Distribution
Corporation Ltd (TANGEDCO),
Kamudi, Kamudi Taluk,
Ramanathapuram District.

3.The Electricity Engineer,
Distribution,
Tamil Nadu Generation and Distribution
Corporation Ltd (TANGEDCO),
Abiramam, Kamudi Taluk,
Ramanathapuram District.

4.M.Ramasamy

... Respondents

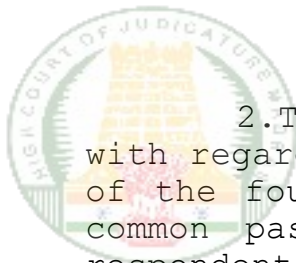
PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus directing the respondents to provide Electricity Connection to the respondent NO.4 without making any disturbance to the petitioner house by considering his objection petition dated 25.9.2019 within the time stipulated by this Court.

For Petitioner : Mr.I.Pinaygash

For Respondents : Mr.M.Rajeswari
Mr.M.S.Johnny Basha
standing counsel for TNEB

ORDER

This writ petition is filed seeking a direction to the respondents to provide electricity service connection to the fourth respondent without making any disturbance to the petitioner's house, by considering his objection petition dated 25.9.2019.



2.The petitioner has filed an objection with the respondents with regard to providing electricity service connection to the house of the fourth respondent. According to the petitioner, there is a common passage between the houses of the petitioner and fourth respondent and an electrical pole is also standing there. Electricity service connection can be provided to the fourth respondent without causing any disturbance to the petitioner's house. But the electricity department runs the cables touching the roof of the petitioner's house and hence he objected the work done by the electricity department. The said representation is still pending. Therefore, the petitioner is before this Court with the aforementioned relief.

3.The learned counsel appearing for the petitioner would draw the attention of the Court to the photograph showing the space between the houses of the petitioner and fourth respondent. It is seen that there is ample space between these two houses and an electrical pole is also standing there. If that be so, the respondent electricity department can very well provide electricity service connection from the nearest pole standing in the common passage between these two houses. It is not necessary to run the wires over the roof of the petitioner's house.

4.Considering the aforesaid factual circumstances, a direction is given to the respondents 1 to 3 to provide electricity service connection to the fourth respondent's house without causing disturbance to the petitioner's house, by considering the petitioner's representation dated 25.09.2019 and after affording an opportunity to the fourth respondent. The parties have to bear the additional expenses towards shifting of poles, costs of additional cable and other miscellaneous expenses and charges.

5.The writ petition is disposed of with the above direction. No costs.

6.Post the matter on 12.11.2019 for reporting compliance.

Sd/-

Assistant Registrar (co)

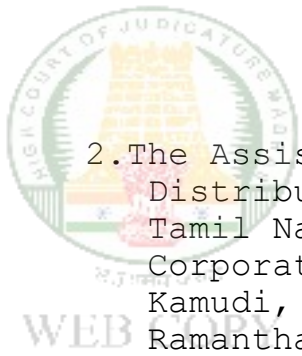
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Sub Assistant Registrar(CS)

To

1. The Superintending Engineer,
Ramanathapuram Electricity Division Circle,
near RTO Office,

<https://hcservices.ecourt.gov.in/hcservices> District.



2.The Assistant Executive Engineer,
Distribution,
Tamil Nadu Generation and Distribution
Corporation Ltd (TANGEDCO),
Kamudi, Kamudi Taluk,
Ramanthapuram District.

3.The Electricity Engineer,
Distribution,
Tamil Nadu Generation and Distribution
Corporation Ltd (TANGEDCO),
Abiramam, Kamudi Taluk,
Ramanathapuram District.

+1 CC to Mr.I.PINAYGASH, Advocate (SR-92173[F] dated 16/10/2019)

W.P. (MD) No.21461 of 2019
16.10.2019

mj
VB(23.10.2019) 3P 5C