

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.10.2020

CORAM

THE HONOURABLE Mrs.JUSTICE PUSHPA SATHYANARAYANA

W.P.No.589 of 2020
(Heard through VC)

K.Ramamurthy

...Petitioner

Vs.

1. The District Collector,
Kancheepuram, Kancheepuram District,
Now at Chingleput District.
 2. The Thasildar,
Sholinganallur OMR,
Kancheepuram District,
Now at Chingleput District.
 3. The Deputy Thasildar,
Sholinganallur OMR,
Kancheepuram District,
Now at Chingleput District.
- ...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 3rd respondent to give No Objection Certificate for the limited purpose of availing electricity from the electricity board authorities for the house of the petitioner constructed in Government land situated in Survey No.544, Perumbakkam Village, Kancheepuram District.

For Petitioner : Mr.S.Pon Jegannathan
For Respondents : Mr.K.S.Suresh
Government Advocate

ORDER

The writ petition has been filed seeking a direction to the third respondent to give No Objection Certificate for the limited purpose of availing electricity from the electricity board authorities for the house of the petitioner constructed in Government land situated in Survey No.544, Perumbakkam Village, Kancheepuram District.

2. The petitioner has constructed a house in the year 2004 to look after the continuous administration of the agricultural operation in Government Poromboke lands in S.No.544 of Perumbakkam Village, Kancheepuram District. When the petitioner approached the Electricity Board Authorities for grant of power connection, the authorities had orally informed him to obtain No Objection Certificate from the second respondent-Tahsildar. Thereafter, the petitioner has applied for No Objection Certificate to the second respondent and the same was rejected on 21.08.2017 stating that the scheme for regularisation of encroachment in Government Poromboke land carved out in a Government order has already expired as early as on 31.03.2015. Aggrieved by the same, the petitioner has filed W.P.No.25705 of 2017 and the same was disposed of on 23.10.2018 granting liberty to the petitioner to submit proper application before the competent authority with a direction to the authority to consider the same on merits. But the authorities are still insisting for the production of No Objection Certificate. Hence, the petitioner has made a fresh representation dated 21.12.2019 to the respondents to grant No Objection Certificate for the limited purpose for the grant of electricity to his house. Though it was received by the second respondent on 30.12.2019, till date no action has been taken. Hence, a mandamus is sought for.

3. Heard the learned counsel appearing on both sides and perused the materials available on record.

4. In response to the representation of the petitioner, the Tahsildar-second respondent issued Proceedings in Na.Ka.No.46/2020/A1 dated 09.10.2020 stating that the area referred to by the petitioner in the writ petition comes within the village Perumbakkam. As per the Government G.O.No.1 Revenue and Disaster Management Department, dated 04.01.2018, the said village has been brought within the Tambaram Taluk limits with effect from 16.08.2018. Hence, the petitioner is advised to approach the Tahsildar, Tambaram in this regard. The copy of the said letter was also served on the son of the petitioner Mr.K.Ramamurthy on 10.10.2020. It is open to the petitioner to approach the Tahsildar, Tambaram in this regard.

5. Recording the above letter from the second respondent-Tahsildar, the writ petition is disposed of. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

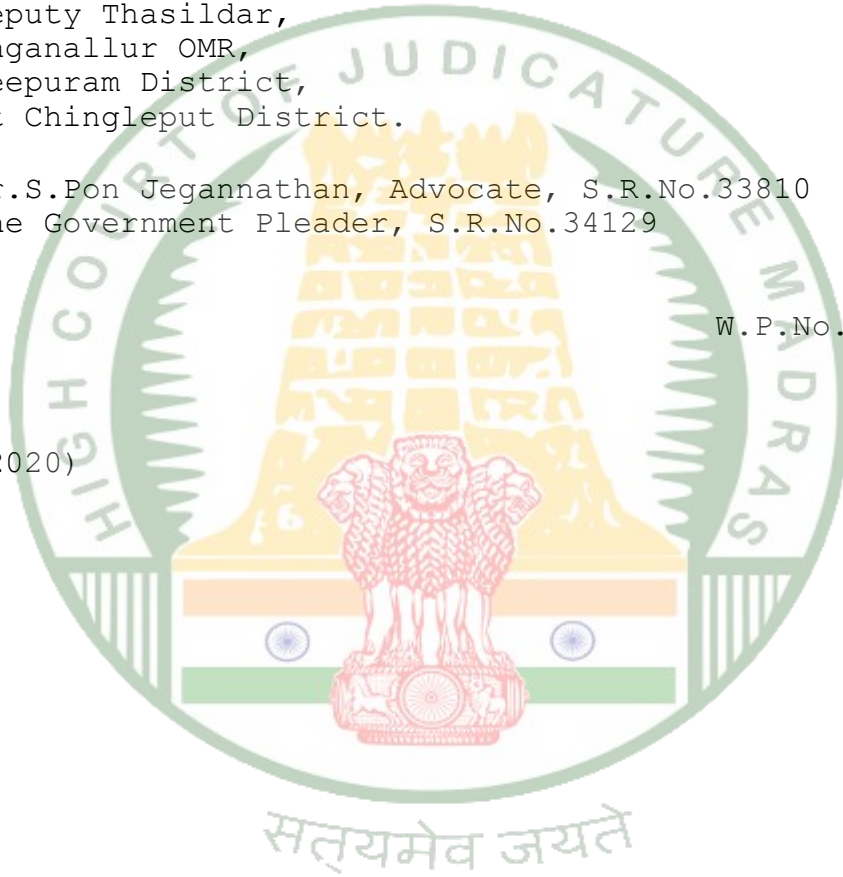
To

1. The District Collector,
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Now at Chingleput District.
2. The Thasildar,
Sholinganallur OMR,
Kancheepuram District,
Now at Chingleput District.
3. The Thasildar, Tambaram
The Deputy Thasildar,
Sholinganallur OMR,
Kancheepuram District,
Now at Chingleput District.

+1cc to Mr.S.Pon Jegannathan, Advocate, S.R.No.33810
+1cc to the Government Pleader, S.R.No.34129

W.P.No.589 of 2020

AJS (CO)
RV(09/11/2020)



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