

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.03.2020

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.5687 of 2020

R. Elumalai

...Petitioner

Vs.

The Assistant Executive Engineer
Operation and Maintenance,
TANGEDCO,
Sembakkam - 603 108.

...Respondent

Prayer: Writ petition filed under Article 226 of the Constitution of India, praying for the issuance of writ of mandamus, directing the respondent to consider the representation of the petitioner dated 10.02.2020 and consequently direct the respondent to provide electricity connection to the petitioner's land situated in Survey No.35/3, No.211 Retikuppam Village, Thirupporur Taluk, Kancheepuram District by accepting the indemnity bond.

For Petitioner : Mr.S.Kala

For Respondents : Mr.P.Gunaraj,
Standing Counsel

O R D E R

This writ petition has been filed for the issue of writ of mandamus, directing the respondent to consider the representation made by the petitioner who is seeking for electricity connection for agricultural lands.

2. The case of the petitioner is that he in possession and enjoyment of agricultural lands for the past 30 years and he is cultivating the said lands. The petitioner had applied for electricity connection before the respondent during July 2019. The respondent insisted for No Objection Certificate from Tahsildar. Even this certificate was furnished to the respondent, in spite of the same, no electricity connection was given and therefore, the present writ petition has been filed seeking for appropriate direction.

3. The learned counsel appearing on behalf of the respondent submitted that since the petitioner does not have a title over the property, the petitioner has to necessarily comply with the terms and condition of the Electricity Distribution Code before the respondent can consider for giving electricity connection.

4. Heard the learned counsel for the petitioner and the learned counsel for the respondent.

5. Taking into consideration of the facts and circumstances of the case and the limited relief that has been sought for in this writ petition, there shall be a direction to the respondent to consider the representation made by the petitioner on 10.02.2020 and deal with the same strictly in accordance with law and take appropriate action, within a period of four weeks from the date of receipt of copy of this order. It is made clear that the petitioner will comply with the direction issued by the respondent under the Electricity Distribution Code and the respondent shall not insist for no objection certificate from the Government.

6. This writ petition is disposed of with the above direction. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

AT

To

The Assistant Executive Engineer
Operation and Maintenance,
TANGEDCO,
Sembakkam - 603 108.

+1cc to Mr.P.Gunaraj, Advocate, S.R.No.19694

+1cc to Mr.S.Kala, Advocate, S.R.No.20734

W.P.No.5687 of 2020

PP(CO)
RN(28/05/2020)