

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.12.2020

CORAM :

The HON'BLE MR.JUSTICE M.DURAI SWAMY

W.P.Nos.40525 and 40800 of 2016

Kaliammal @ Pappal ... Petitioner in W.P. No.40525/2016
R. Munusamy ... Petitioner in W.P. No.40800/2016

- V.
- 1.The Superintending Engineer,
Dharmapuri Electricity Distribution Circle,
Dharmapuri - 5.
 - 2.The Executive Engineer,
(Operation & Maintenance),
Dharmapuri Electricity Distribution Circle,
Dharmapuri - 5.
 3. The Assistant Engineer,
(Operation & Maintenance),
Pennagaram,
Dharmapuri District. ... Respondents

W.P.No.40525/2016: Writ Petition filed under Article 226 of the Constitution of India for issuing a Writ of Mandamus directing the respondents to consider the petitioner's representation dated 22.08.2016 and to provide an Electric Motor Connection to his land comprising in Konangihalli Village S.No.439/2 B. Agraharam Post, Pennagaram, Dharmapuri District, within the time framed by this Court.

W.P.No.40800/2016: Writ Petition filed under Article 226 of the Constitution of India for issuing a Writ of Mandamus directing the respondents to consider the petitioner's representation dated 22.08.2016 and to provide an Electric Motor Connection to his land comprising in Konangihalli Village S.No.586/1, B. Agraharam Post, Pennagaram, Dharmapuri District, within the time framed by this Court.

For Petitioners : Mr. K. Gandhi Kumar

For Respondents : Mr. M. Varun Kumar
Standing Counsel

COMMON ORDER

The petitioners have filed the above Writ Petitions to issue Writs of Mandamus directing the respondents to

consider the petitioners' representations dated 22.08.2016 and to provide Electric Motor Connection to their land comprising in Konangihalli Village S.Nos.439/2 and 586/1 respectively in B. Agraharam Post, Pennagaram, Dharmapuri District, within a time frame.

2. On a perusal of the materials available on record, it could be seen that the 2nd respondent sent demand letters dated 31.03.2015 calling upon the petitioners to pay a total sum of Rs.50,230/- each for providing agricultural service connections. Though the petitioners have approached the 2nd respondent for making the payment, the authorities refused to receive the payment stating that there were two other applicants in the village and they should also pay the necessary charges for providing the electricity service connection. Thereafter, the petitioners have given the present representations dated 22.08.2016 narrating the entire facts and requested the authorities to provide the agricultural service connection. In spite of the representations dated 22.08.2016, the respondents 1 and 2 have not provided the agricultural service connection.

3. The respondents 1 and 2 have not provided the agricultural service connections in spite of the demand letters dated 31.03.2015. I do not find any justification on the part of the respondents in not providing the service connection in spite of the demand letters dated 31.03.2015.

4. Mr. K. Gandhi Kumar, learned counsel appearing for the petitioners submitted that the petitioners had also purchased the 5 HP motor pumps on 29.04.2015. Since the service connections were not provided to them, they have not utilized the motor pumps.

5. Mr. M. Varun Kumar, learned Standing counsel appearing for the respondents submitted that the respondents have not provided the agricultural service connections to the petitioners only following the rules.

6. It is pertinent to note that on 21.08.2015, the 1st respondent sent a reply to the petitioners with regard to the provisions of agricultural service connections.

7. On a careful consideration of the materials available on record and the submissions made by the learned counsel on either side, as already stated, I do not find any justification on the part of the respondents in not providing the service connections in spite of their letters dated 31.03.2015 and 21.08.2015. In such view of the matter, I direct the petitioner to make the payment of amount specified in the demand notices dated 31.03.2015 within a period of one week from the date of receipt of a copy of this order and on receipt of the same, the respondents 1 and 2 are directed to provide the agricultural service connections to

the petitioners within a period of four weeks thereafter.

With these observations, the Writ Petitions are disposed of. No costs.

Sd/-
Assistant Registrar (CS)

//True Copy//

Sub Assistant Registrar

Rj

To

- 1.The Superintending Engineer,
Dharmapuri Electricity Distribution Circle,
Dharmapuri - 5.
- 2.The Executive Engineer,
(Operation & Maintenance),
Dharmapuri Electricity Distribution Circle,
Dharmapuri - 5.
3. The Assistant Engineer,
(Operation & Maintenance),
Pennagaram, Dharmapuri District.

+2cc to MR.M.Varunkumar Advocate SR.NOS.38581 & 38583

W.P.Nos.40525 and 40800 of 2016

MJB CO
SDR 15/12/2020

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