

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.12.2020

CORAM

THE HONOURABLE MR.JUSTICE N. ANAND VENKATESH

W.P.No.18985 of 2020 &
WMP.No.23544 of 2020

S. Nachimuthu

... Petitioner

Vs.

1.The Divisional Engineer,
TANGEDCO, Mettur.

2.The Executive Engineer,
Namakkal Electricity Distributing Division,
S.P.B.Colony,
Kumarapalayam Taluk,
Namakkal District.

3.The Assistant Engineer,
Namakkal Electricity Distributing Division,
Pallipalayam Division,
Kokkarayan Pettai,
Kumarapalayam Taluk,
Namakkal District.

4.Muthusamy

... Respondents

Prayer: Writ Petition filed under Section 226 of Constitution of India praying for issuance of Writ of Mandamus directing the respondents 1 to 3 to take appropriate action upon petitioner's representation dated 24.10.2020 before granting agricultural electricity service connection pond situated at Survey No.59/2, Kombuthottam, Paapampalayam Village, Kumarapalayam Taluk, Namakkal District in favour of the 4th respondent.

For Petitioner : Mr. N.Chinnaraj

For Respondents: Mr. Vijay Mehnath,
Standing counsel R1 to R3

O R D E R

This Writ Petition has been filed for the issue of Writ of Mandamus directing the respondents to take action on the representation made by the petitioner on 24.10.2020, wherein, the petitioner has requested the respondents not to give Electricity Connection in favour of the 4th respondent.

2. The case of the petitioner is that the 4th respondent has given an application to respondents 1 to 3 seeking for an agricultural electricity connection for the purpose of drawing water from a nearby pond to his property. The grievance of the petitioner is that agriculturists in and around that place are dependant on this water and the 4th respondent is actually attempting to draw water and do water supply business. The petitioner has therefore given a representation to the respondents on 24.10.2020 objecting to the application made by the 4th respondent. Since the same was not considered, the present Writ Petition has been filed before this Court seeking for appropriate directions.

3. Heard Mr.N.Chinnaraj, learned counsel appearing for the petitioner and Mr.Vijay Mehnath, learned Standing counsel appearing for the respondents 1 to 3.

4. Taking into consideration the facts and circumstances of the case and the limited relief sought for in this Writ Petition, there shall be a direction to the 3rd respondent to consider the representation/objection given by the petitioner on 24.10.2020 after calling the parties for an enquiry. A decision shall be taken strictly in accordance with law. Till a final decision is taken, the 3rd respondent is directed not to provide any Electricity Connection.

5. The petitioner is directed to make a fresh representation to the 3rd respondent along with all the relevant documents and also a copy of this order.

6. This Writ Petition is disposed of with the above directions. No costs. Consequently, the connected miscellaneous petition is closed.

s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

To

1. The Divisional Engineer,
TANGEDCO, Mettur.
2. The Executive Engineer,
Namakkal Electricity Distributing Division,
S.P.B.Colony,
Kumarapalayam Taluk,
Namakkal District.

3. The Assistant Engineer,
Namakkal Electricity Distributing Division,
Pallipalayam Division,
Kokkarayan Pettai,
Kumarapalayam Taluk, Namakkal District.

+1 CC to Mr.N.Chinnaraj, Advocate sr 41809.

W.P.No.18985 of 2020 &
WMP.No.23544 of 2020

NMI (CO)
SP(20/01/2021)



WEB COPY