



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.10.2020

CORAM:

THE HONOURABLE MR.JUSTICE **ABDUL QUDDHOSE**

W.P. (MD)No.8574 of 2019

and

W.M.P(MD) No.6684 of 2019

WEB COPY

- 1.M.Ganesan
- 2.K.Sonai Raj
- 3.M.Kadirvel
- 4.S.Thirumurugan

... Petitioners

Vs

- 1.The Managing Director
Tamil Nadu Backward Classes Economic
Development Corporation Limited,
MLA Building (3rd floor)
No.735, Anna Salai, Chennai - 600 002.
- 2.The District Backward Classes and Minority Welfare Officer,
O/o.The District Backward Classes and Minority Welfare Officer,
Virudhunagar District,
Virudhunagar.
- 3.The Superintending Engineer
O/o.The Superintending Engineer, TANGEDCO
Virudhunagar District,
Virudhunagar.
- 4.The Executive Engineer,
TANGEDCO, Virudhunagar District.

... Respondents

(Respondent No.4 suo motu impleaded as per order of this Court dated 12.10.2020 made in W.P.(MD).No.8574 of 2019)

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to provide free electricity connection to the petitioners, as per the scheme of G.O.(MS) No.78, issued by Backward Classes and Most Backward Classes and Minority Welfare (c nal) Department, dated 17.09.2010.

For Petitioners	: Mr.T.Lajapathi Roy
For R-1 & R-2	: Mr.C.Ramesh Special Government Pleader
For R-3 & R-4	: Mrs.Rajeshwari for Mr.S.M.S.Johny Basha, Standing Counsel



ORDER

The Executive Engineer, TANGEDCO, Virudhunagar District, is suo motu impleaded as fourth respondent in this Writ Petition.

2. This Writ Petition has been filed for a Mandamus seeking for a direction to the respondents to provide free electricity service connection to the petitioners as per the scheme introduced in G.O.(MS) No.78, issued by Backward Classes and Most Backward Classes and Minority Welfare (c nal) Department, dated 17.09.2010.

3. The petitioners have applied for free electricity service connection based on G.O.(MS) No.78, issued by Backward Classes and Most Backward Classes and Minority Welfare (c nal) Department, dated 17.09.2010, for their agricultural lands.

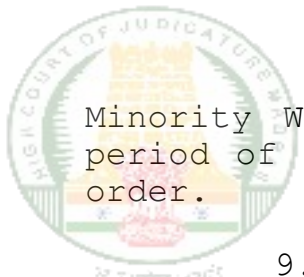
4. Heard Mr.T.Lajapathi Roy, learned counsel appearing for the petitioner as well as Mr.C.Ramesh, learned Special Government Pleader, appearing for the respondent Nos.1 and 2 and Mrs.Rajeshwari, learned counsel for Mr.S.M.S.Johny Basha, learned Standing counsel appearing for the respondent Nos.3 and 4.

5. According to the petitioners, despite the representations given by them on 01.12.2018 and 14.03.2019, the respondent Nos.3 and 4 have not considered the said representations. According to them, they have satisfied the requirements of G.O.(MS) No.78, issued by Backward Classes and Most Backward Classes and Minority Welfare (c nal) Department, dated 17.09.2010, referred to supra and therefore, they are entitled for free electricity service connection. In such circumstances, this Writ Petition has been filed.

6. A Positive direction as sought for by the petitioners in this Writ Petition cannot be granted by this Court. It is for the respondents 3 and 4 to consider the representations given by the petitioners seeking for free electricity service connection for their agricultural lands in the light of G.O.(MS) No.78, issued by Backward Classes and Most Backward Classes and Minority Welfare (c nal) Department dated 17.09.2010.

7. No prejudice will be caused to the respondents if the representations given by the petitioners are considered by them on merits and in accordance with law.

8. For the foregoing reasons, this Court directs the respondent Nos.3 and 4 to consider the petitioners' representations dated 01.12.2018 and 14.03.2019 seeking for free electricity service connection in respect of their agricultural lands and pass final orders on merits and in accordance with law and in the light of G.O. (MS) No.78, issued by Backward Classes and Most Backward Classes and



Minority Welfare (c nal) Department dated 17.09.2010 within a period of eight weeks from the date of receipt of a copy of this order.

9. With the aforesaid direction, the Writ Petition stands disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

tsg

Note:In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the Advocate/litigant concerned.

To

- 1.The Managing Director
Tamil Nadu Backward Classes Economic
Development Corporation Limited,
MLA Building (3rd floor)
No.735, Anna Salai, Chennai - 600 002.
- 2.The District Backward Classes and Minority Welfare Officer,
O/o.The District Backward Classes and Minority Welfare Officer,
Virudhunagar District,
Virudhunagar.
- 3.The Executive Engineer,
TANGEDCO, Virudhunagar District.

+1 CC to M/s.T. LAJAPATHI ROY, Advocate (SR-19924[F] dated
13/10/2020)

W.P. (MD)No.8574 of 2019
12.10.2020

SJ(CO)
KB(02.11.2020) 3P 5C