



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.10.2020

CORAM

THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

W.P(MD).No.14480 of 2020

WEB COPY

S.Mayandi

.. Petitioner

Vs.

1.The District Collector,
Madurai District,
Madurai - 625 020.

2.The Tahsildar,
Madurai South Taluk,
Madurai.

3.The Assistant Engineer (Distribution),
Tamil Nadu Electricity Generation &
Distribution Corporation Ltd., (TANGEDCO),
Subramaniyapuram,
Power House Road,
Madurai - 625 001.

.. Respondents

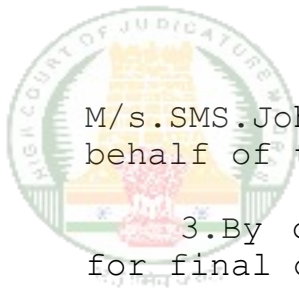
PRAYER: Writ Petition is filed under Article 226 of Constitution of India for issuance of Writ of Mandamus, directing the 2nd respondent to issue No Objection Certificate considering petitioner's representation, dated 19.02.2020 and subsequently, the 3rd respondent be directed to provide the service connection to petitioner's residence within the time as fixed by this Court.

For Petitioner	:	Mr.K.K.Samy
For Respondents	:	Mr.C.Ramar for R1 & R2 Additional Government Pleader Mrs.M.Rajeswari for R3 for M/s.S.M.S.Johny Basha, Standing Counsel

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the 2nd respondent to issue No Objection Certificate in favour of the petitioner for getting an electricity service connection from the third respondent within a time frame to be fixed by this Court.

2.Heard Mr.K.K.Samy, learned counsel for the petitioner. Mr.C.Ramar, learned Additional Government Pleader, accepts notice on behalf of the respondents 1 and 2 and Mrs.M.Rajeswari, for



M/s.SMS.Johny Basha, learned Standing counsel accepts notice on behalf of the third respondent.

3.By consent of both parties, this writ petition is taken up for final disposal at the admission stage itself.

WEB COPY

4.The petitioner claims to be the absolute owner of the property bearing door No.16/9, South Shanmugapuram, situated at Settiyurani Karai near M.K.Puram, Madurai. According to him, he applied for electricity service connection for the house situated at the aforementioned address. However, the third respondent has not considered the same, since according to him, the petitioner's house is situated in Poramboke land. Therefore, the third respondent has directed the petitioner to approach the second respondent/Tahsildar for obtaining a No Objection Certificate. Accordingly, the petitioner by his representation dated 19.02.2020, requested the second respondent to issue a No Objection Certificate to enable him to get an electricity service connection, for his house, situated at the aforementioned address. According to the petitioner, till date, the said representation has not been considered by the second respondent. In such circumstances, this writ petition has been filed.

5.The relief sought for the petitioner is an innocuous relief. He has applied for electricity service connection for his house bearing door No.16/9, South Shanmugapuram, situated at Settiyurani Karai near M.K.Puram, Madurai. The third respondent has not considered the same, since according to them, the said house is situated in a Poramboke land. The petitioner is also given a representation, on 19.02.2020, to the second respondent/Tahsildar, for issuance of No Objection Certificate. Admittedly, till date, the said representation has not been considered.

6.For the foregoing reasons, this Court directs the second respondent to consider the petitioner's representation dated 19.02.2020, and pass final orders on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

7.With the aforesaid direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (T&P)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

TM



To

1.The District Collector,
Madurai District,
Madurai - 625 020.

2.The Tahsildar,
Madurai South Taluk,
Madurai.

+1 CC to the SPL GP SR-20562.

+1 CC to Mr.K.K.SAMY, Advocate SR-20602.

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.

**W.P (MD) .No.14480 of 2020
16.10.2020**

VR(CO)
CS(02.11.2020) 3P 5C