



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.03.2020

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

WEB COPY

Writ Petition (MD).No.20292 of 2019

V.K.Murugan

... Petitioner

Vs.

1.The Superintendent Engineer,  
TANGEDCO,  
Dindigul Power Distribution District,  
Dindigul District.

2.The Executive Engineer (Distribution),  
TANGEDCO,  
Butlagundu,  
Nilakottai Taluk,  
Dindigul District.

3.The Assistant Executive Engineer,  
Butlagundu East,  
TANGEDCO,  
Butlagundu,  
Nilakottai Taluk,  
Dindigul District.

4.The Assistant Engineer,  
(Distribution),  
O & M, TANGEDCO,  
Ammayanakanur,  
Nilakoatti Taluk,  
Dindigul District.

5. C.Palammal

... Respondents

**Prayer:** Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the fourth respondent to give Agricultural III-A1 (Non Free Category), Power connection to the petitioner agricultural land property situated in Survey No.102/3A, Nariyuthu Village, Palapatti, Nilakottai Taluk, Dindigul District within a stipulated period.

|                |   |                 |
|----------------|---|-----------------|
| For Petitioner | : | Mr.R.Santhanam  |
| For R1 to R4   | : | Mrs.M.Rajeswari |
| For R5         | : | No appearance   |

**ORDER**

The writ petition has been filed in the nature of Mandamus seeking a direction to the fourth respondent, the Assistant Engineer (Distribution), O & M, TANGEDCO, Ammayanakanur, Nilakottai Taluk,



Dindigul District, to give Agricultural III-A1 (Non Free Category), power connection to the agricultural land of the petitioner situated in Survey No.102/3A, Nariyuthu Village, Palapatti, Nilakottai Taluk, Dindigul District.

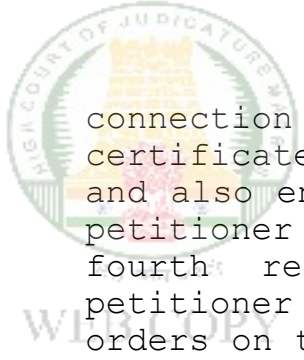
2. In the affidavit filed in support of the writ petition, the petitioner, a farmer, states that he has purchased 86½ cents agricultural punja land in Survey No.102/3A, Nariyuthu Village, Palapatti, Nilakottai Taluk, Dindigul District, through a registered sale deed dated 18.10.2013, registered as Document No.3503/2013, in the Office of the Sub Registrar, Nilakottai. The petitioner claims that he is in possession and is cultivating the land. He applied for transfer of Patta. The Patta was issued in his name in Patta No.1606. The petitioner is also paying the revenue tax. He had dug a bore well for irrigation. He also applied for electricity connection on-line through EE/D/BTL/047/2019-20, dated 10.07.2019 (Non Free Category). He had paid all the necessary charges. He submitted the application with requisite documents including certificates issued by the Village Administrative Officer, certificate issued by the Tahsildar and his Title Deeds. He approached the fourth respondent seeking connection. The fourth respondent informed him that the fifth respondent viz., Palammal, W/o. Chinnadurai had given an objection letter, objecting for grant of power to the petitioner herein.

3. The learned counsel for the petitioner has drawn the attention of this Court to the suit filed by the fifth respondent in O.S.No.7 of 2019, Palammal vs. S.Bakyalakshmi and three others, in which the petitioner herein was the fourth defendant. That suit came up for consideration before the District Munsif Court, Nilakottai. In the said suit, the defendants were set ex-parte. By judgment dated 20.01.2020, the learned Principal District Munsif had an occasion to examine the evidence submitted by the plaintiff / Palammal. She had examined herself as P.W.1. She also filed Exs.A1 to A10. However, after examining the oral and documentary evidence, the learned Principal District Munsif dismissed the suit.

4. The learned counsel for the petitioner herein therefore stated that the fifth respondent Palammal has no grounds to object the application submitted by the petitioner herein seeking electricity power connection for drawing water from the Well dug by him in his agricultural Patta land. It is also seen from the records that the fifth respondent herein had been served by the notice and name has also been printed in the cause list, but there is no representation.

5. Heard the learned counsel for the respondents.

6. The learned counsel for the respondents 1 to 4 stated that if the petitioner submits a fresh application enclosing all requisite documents, then, they would consider the same affirmatively. The learned counsel for the petitioner is therefore requested to submit a fresh application through on-line for power



connection and also apart from documents relating to title, certificates from the Tahsildar and Village Administrative Officer and also enclose a copy of the judgment in O.S.No.7 of 2019. If the petitioner submits such application, on or before 18.03.2020, the fourth respondent may examine such application, invite the petitioner for clarifications if any and thereafter pass final orders on the said application on or before 09.04.2020. Accordingly, the writ petition is allowed. No costs.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2020

Sub Assistant Registrar (CS)

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To

- 1.The Superintendent Engineer,  
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(Distribution),  
O & M, TANGEDCO,  
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+1 CC to M/s.R.SANTHANAM, Advocate ( SR-10642[F] dated 09/03/2020 )

**Writ Petition (MD).No.20292 of 2019**

**09.03.2020**

**SMA/17/03/2020/3P/6C**