



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.09.2020

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WEB COPY

THE HONOURABLE MR. JUSTICE G.R.SWAMINATHAN

WP(MD)No.7536 of 2016

and

WMP(MD)No.6338 of 2016

A.Pethaiah

... Petitioner

Vs.

1. The Superintending Engineer,
Tamil Nadu Power Generation and
Distribution Corporation,
Tuticorin & District.

2. Junior Engineer,
Town/East, Tamil Nadu Power Generation
and Distribution Corporation,
Kovilpatti, Tuticorin & District.

... Respondents

PRAYER : Writ Petition is filed under Article 226 of Constitution of India for issuance of Writ of Mandamus, directing the second respondent to provide electric connection to the house of the petitioner bearing Door No.43-B-2-2, Bungalow 2nd Street, Kovilpatti, Tuticorin District on the basis of the representation dated 26.03.2016 sent by the petitioner.

For Petitioner : Mr.B.Rajesh Saravanan

For Respondents : Ms.M.Rajeswari for SMS.Johny Basha

ORDER

Heard the learned counsel on either side.

2.The petitioner seeks providing of electricity connection for the petition mentioned house. The learned counsel for the petitioner placed reliance on the order dated 30.06.2015 made in WP (MD)No.19404 of 2015 passed by this Court.

3.When the matter was taken up for disposal, the learned standing counsel for the respondents submitted that the petitioner had encroached a water body and that in terms of Regulation No.27 (12) of the Tamil Nadu Electricity Distribution Code, the petitioner must obtain No Objection Certificate from the concerned



official and produce before the respondents. But no material has been placed before this Court to indicate that the petitioner had encroached any such water body. In any event, when an identically placed person had been granted relief by this Court, I see no reason as to why the petitioner should be treated differently.

4. Therefore, respectfully following the order passed by a learned Judge of this Court in WP(MD)No.19404 of 2015 dated 30.06.2015, I direct the respondents to provide electricity connection to the petition mentioned house on usual conditions. This writ petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

skm

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 Superintending Engineer,
Tamil Nadu Power Generation and
Distribution Corporation,
Tuticorin & District.
2. The Junior Engineer, Town/East,
Tamil Nadu Power Generation
and Distribution Corporation,
Kovilpatti, Tuticorin & District.

WP (MD) No. 7536 of 2016

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NS (CO)

CS (16.10.2020) 2P 3C