



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.08.2021

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P No.4863 of 2021  
and  
W.M.P No.5473 of 2021

Sembattiyan @ Kottaimadhan

... Petitioner

Vs.

1. The Chairman,  
Tamilnadu Generation and Distribution Corporation Ltd  
(TANGEDCO)  
144 Anna Salai, Chennai- 600 002.
2. The Superintendant Engineer  
TANGEDCO,  
Krishnagiri Electricity Distribution Circle, Krishnagiri.
3. The Executive Engineer,  
TANGEDCO (O and M),  
Hosur, Krishnagiri District.
4. The Assistant Executive Engineer,  
TANGEDCO (O and M),  
Thenkanikottai,  
Krishnagiri District.
5. The Junior Engineer,  
TANGEDCO (O and M),  
Anjetty,  
Krishnagiri District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to the proceedings in Ka.No.E.Ni.Po/E & Pa/Anjetty/Ko.Kattu/ A.No.020/2020 dated 1.7.2020, on the file of the 5th respondent, quash the same and to direct the respondent Nos.2 to 5 to forthwith to complete the extended electricity service connection works No.2342, (Tariff IIIA1) to the Petitioner's 5 HP Agricultural pump-set in the lands comprised in Survey No.39/2B of Natrampalayam Revenue Village, measuring 26.5 Acres (65 cents) in Thenkanikottai Taluk, Krishnagiri District (Patta No.502) and to pas such



other/further order or orders as this Court may deem fit and proper, given the facts and circumstances of the case.

For Petitioner : Mr.R.Selvakumar

For Respondents : Mr.L.Jai Venkatesh  
Standing Counsel  
for R1 to R5

WEB COPY

#### ORDER

This writ petition has been filed against the impugned proceedings of the 5<sup>th</sup> respondent dated 01.07.2020 and for a consequential direction to the respondents to complete the extended electricity service connection works up to the petitioner's 5 HP agricultural pump-sets No.2342, in the lands comprised in Survey No.39/2B of Natrampalyam Revenue Village, measuring 26.5 Ares (65 cents) in Thenkanikottai Taluk, Krishnagiri District (Patta No.502).

2.The case of the petitioner is that he is owning agricultural property measuring an extent of 65 cents and he is having agricultural pump-set with 5 HP capacity. The petitioner applied for electricity service connection to the 5<sup>th</sup> respondent on 17.04.2018. The necessary permission was also accorded by the 3<sup>rd</sup> respondent on 18.05.2018.

3.Pursuant to the same, the petitioner also paid the estimated charges and all the materials that were required for the purpose of completing the work were also procured.

4.It is further stated that the entire work is over and what remains is only to energize the service connection and thereby, enable the petitioner to put to use the 5 HP agricultural pump-set.

5.The grievance of the petitioner is that the 5<sup>th</sup> respondent through the impugned proceedings dated 01.07.2020 informed the petitioner that there is objection from the local villagers and therefore, the 5<sup>th</sup> respondent is not in a position to complete the work and grant service connection to the petitioner. Aggrieved by the same, the present writ petition has been filed before this Court.

6.The 5<sup>th</sup> respondent has taken a stand to the effect that the steps were taken to carry out the work and poles were also erected. While stringing the new LT 3 phase 4 wire line from the existing LT 3 phase 4 wire line, the local villagers raised an objection and gave an objection letter dated 09.06.2020. As a



result of the same, the 5<sup>th</sup> respondent was forced to stop the stringing work. The 5<sup>th</sup> respondent requested the petitioner to settle the dispute with the villagers so that the 5<sup>th</sup> respondent can carry on with the work. However, there was no settlement and it resulted in a law and order problem and therefore, the 5<sup>th</sup> respondent was not able to provide the service connection to the petitioner. It is further stated that if the petitioner has any alternative route through which the service connection can be provided, the same will be considered by the 5<sup>th</sup> respondent.

7. Heard the learned counsel for the petitioner and the learned counsel appearing on behalf of the respondents.

8. In the considered view of this Court, the 5<sup>th</sup> respondent has already completed the erection of poles and the stringing of the wire line and what remains is to complete the work and to energize the service connection. There seems to be some objection by the villagers in extending the service connection to the petitioner. However, the work is almost over and it is at the stage of giving service connection to the petitioner. It is nobody's case that the service connection is given to the petitioner through some private property. The 5<sup>th</sup> respondent is only extending the electricity service connection works to the agricultural pump-set belonging to the petitioner. Therefore, the objections made by some persons can never be a ground to deny the service connection to the petitioner.

9. In view of the above, the impugned proceedings of the 5<sup>th</sup> respondent dated 01.07.2020, is hereby quashed. There shall be a direction to the 5<sup>th</sup> respondent to complete the work and to provide the service connection to the petitioner. If there is any resistance, the 5<sup>th</sup> respondent is at liberty to seek for police protection and the same shall also be given by the concerned police. The petitioner shall pay the necessary charges in order to complete the work, if any amount is still due and payable. This process shall be completed, within a period of four weeks from the date of receipt of copy of this order.

10. In the result, this writ petition stands allowed. No Costs. Consequently, connected miscellaneous petition is closed.

Sd/-  
Assistant Registrar (CS-VIII)

//True Copy//

Sub Assistant Registrar

ssr



To

1. The Chairman,  
Tamilnadu Generation and Distribution Corporation Ltd  
(TANGEDCO)  
144 Anna Salai, Chennai- 600 002.
2. The Superintendant Engineer  
TANGEDCO,  
Krishnagiri Electricity Distribution Circle, Krishnagiri.
3. The Executive Engineer,  
TANGEDCO (O and M),  
Hosur, Krishnagiri District.
4. The Assistant Executive Engineer,  
TANGEDCO (O and M),  
Thenkanikottai,  
Krishnagiri District.
5. The Junior Engineer,  
TANGEDCO (O and M),  
Anjetty,  
Krishnagiri District.

+1cc to Mr.R.Selvakumar , Advocate, S.R.No.41405

+1cc to Mr.L.Jaivenkatesh , Advocate, S.R.No.42014

W.P No.4863 of 2021  
and  
W.M.P No.5473 of 2021

LN (CO)  
SU (09/09/2021)