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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.11.2021

CORAM :

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.24741 of 2013

1.K.Murugesan (Deceased)

2.M.Raji

[P2- Substituted as LR of Deceased P1-K.Murugesan
as per order dated 25.04.2018 by SMSJ
in W.M.P.No.4569 of 2018 in W.P.No.24741/13]

... Petitioners

Vs.

1.The Superintending Engineer,
TANGEDCO,
Chengalpattu,
Kancheepuram District.

2.The Executive Engineer,
TANGEDCO,
Sriperumbudur,
Kancheepuram District.

3.The Assistant Engineer,
TANGEDCO,
Thiruvallur,
Thiruvallur District.

4.The Junior Engineer,
TANGEDCO,
Sub Station,
Kilanur,
Thiruvallur District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order in Ka.No.JE/Sub-Station./Kilanur/ Va.a./Ko.Vi.Mi./A.No. 114/2013 dated 04.02.2013 on the file of the 4th respondent herein and to quash the same and consequently directing the respondents to



restore the service connection in SC No. 553-007430 and to shift the same from Survey No. 9/13 (Old Survey No.7/8) to Survey No. 16/3, situated at Ammandur Village, Thiruvallur Taluk and District.

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For Petitioners : Mr.D.Murthy

For Respondents : Mr.L.Jai Venkatesh
Standing Counsel for TANGEDCO

O R D E R

The order impugned dated 04.02.2013, rejecting the claim of the writ petitioner for restoration of Agricultural Electricity Service Connection already provided to the petitioner is under challenge in the present writ petition.

2. The original petitioner is Mr.K.Murugesan, who filed the writ petition died during the pendency of the writ petition and the legal heir is impleaded.

3. The 1st petitioner states that he is owning 82 cents of agricultural lands and provided with the electricity service connection in SC No.553-007-430 to carry on the agricultural activities at free of cost. The respondents disconnected the electricity service connection on ground that the petitioner has utilized the agricultural electricity connection for residential house, which is situated adjacent to the agricultural land and accordingly, the connection was disconnected.

4. It is needless to state that the agricultural electricity service connections are provided at free of cost by the Government only for the purpose of utilizing the electricity service connection for agricultural purposes. Thus, as per the terms and conditions of the scheme, the said connection cannot be utilized for residential or any other purposes. The electricity service connection was disconnected on account of change of classification and therefore, the petitioner is constrained to move the present writ petition.

5. The respondent / Board authorities are empowered to conduct inspections and find out, whether the agricultural electricity service connections are utilized for the purposes to which, it was granted. If any change of classification or otherwise, they are empowered to disconnect the electricity connection provided for agricultural purposes at free of cost.



6. The learned counsel for the petitioner states that they are using the electricity connection only for agricultural purposes and not for any other purposes.

7. The writ petition was filed in the year 2013, seven and half years lapsed. Under these circumstances, the authorities competent shall conduct inspection and take appropriate decision with reference to the agricultural electricity service connection provided to the writ petitioner. As far as the impugned order is concerned, this Court do not find any infirmity as such.

8. Accordingly, the writ petition stands disposed of. No costs.

Sd/-
Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

Jeni/Kak

To

- 1.The Superintending Engineer,
TANGEDCO, Chengalpattu,
Kancheepuram District.
- 2.The Executive Engineer,
TANGEDCO, Sriperumbudur,
Kancheepuram District.
- 3.The Assistant Engineer,
TANGEDCO, Thiruvallur,
Thiruvallur District.
- 4.The Junior Engineer,
TANGEDCO, Sub Station,
Kilalur, Thiruvallur District.

+1cc to Mr.L.Jaivenkatesh, Advocate SR.No.59163
+1cc to Mr.D.Murthy, Advocate SR.No.58922

W.P.No.24741 of 2013

GPL (CO)
GN(30/11/2021)