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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.07.2021

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THE HON'BLE Mr. JUSTICE D.KRISHNAKUMAR

W.P.No. 33671 of 2012

Sangu Soodamani,

..Petitioner

Vs

1.The Superintending Engineer,
Tamil Nadu Electricity Generation and
Distribution Company,
Cappaer Hills, Cuddalore,
Cuddalore Taluk, Cuddalore District.

2.The Executive Engineer,
(O & M) Operation & Maintenance,
Tamil Nadu Electricity Generation and
Distribution Company,
Riverside Street, Cuddalore,
Cuddalore Taluk, Cuddalore District.

3.The Assistant Engineer,
(O & M) Operation & Maintenance,
Tamil Nadu Electricity Generation and
Distribution Company,
S.Pudur Village, Cuddalore Taluk,
Cuddalore District.

4.Gunasekaran,
S/o Vellakkannu,
Vandikuppam, Hamlet of Ramapuram,
Cuddalore Taluk, Cuddalore District.

..Respondents

Prayer: Writ Petition is filed under Article 226 of Constitution of India for writ of certiorarified mandamus, calling for the records and quash the proceedings of the 2nd Respondent in his Kadi. Enn. Se.Po/O&M/Kada/Thonu U1 /Ko. Vi/A No.1001/2012 dated 16.06.2012 and consequently direct the Respondents 1 to 3 to effect agricultural electricity service connection to the petitioner for the bore laid in new S.No.126/8 Hec. 0.07.0 = old S.No.257/7 Ac. 0.20 in Ramapuram (Vandikuppam) Village, Cuddalore Taluk, Cuddalore District.



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For Petitioner : Mr.D.Baskar
For Respondent No.1 to 3 : Mr.M.Varun Kumar
Standing Counsel TNEB
Respondent No.4 : Mr.R.Subramanian

O R D E R

This writ petition has been filed seeking direction to the Respondents 1 to 3 to effect agricultural electricity service connection to the petitioner's land comprising in new Survey No.126/8 Hec. 0.07.0, Old S.No.257/7 Ac. 0.20 in Ramapuram (Vandikuppam) Village, Cuddalore Taluk, Cuddalore District.

2. Heard the learned counsel for the petitioner and the learned counsels appearing for the respondents and perused the records.

3. The learned counsel for the petitioner submitted that the property bearing old survey no.257/7, measuring 0.20 Ac, new survey no. 126/8 measuring 0.07.0 Hec situate in Ramapuram (Vandikuppam) Village, Cuddalore Taluk, Cuddalore District belongs to one Navammal under registered sale deed dated 07.12.1951. The said Navammal died leaving behind her two daughters namely Rajavalli and Radha. The 2nd daughter and her husband are no more. Rajavalli and Radha's issues sold the aforesaid property to the petitioner's father-in-law namely Rangasami Padayachi under a registered sale deed dated 02.03.1977. On her death, her daughters were in possession. Subsequently, petitioner's father-in-law was in possession of the said land and the patta stood in the name of petitioner's father-in-law. After the death of the petitioner's father-in-law, the petitioner's husband being legal heir, had sold the said property to the petitioner's son, Patta also transferred in his name and he was in possession of the aforesaid property.

4. The learned counsel for the petitioner further submitted that the petitioner's son submitted an application before the 3rd respondent on 29.03.2011 for providing agricultural electricity service connection for the aforesaid property. Unfortunately, the petitioner's son died, leaving behind the petitioner as his legal heir. Hence, the petitioner seeks direction to the respondent to provide electricity service connection for the representation dated 29.03.2011 submitted by his son.

5. On the other hand, the learned standing counsel appearing for the 2nd respondent board has submitted that the 2nd respondent board had passed an order dated 16.06.2021, informing the petitioner that the 4th respondent herein is claiming the



aforesaid property and objected for providing electricity connection to the petitioner.

6. The learned counsel appearing for the 4th respondent has submitted that he has no instructions from the 4th respondent.

7. Considering the facts and circumstances of the case and the submissions made by the learned counsel appearing for the parties concerned, this Court is inclined to issue the following directions;

- i. Writ Petitioner shall approach the 3rd respondent along with the copy of the representation dated 29.03.2011 along with relevant records within period of one week from the date of the receipt of the order.
- ii. On receipt of the same, the 3rd respondent on satisfaction of the documents, shall take appropriate decision to effect the service connection to the petitioner's premises, within a period of eight weeks thereafter.

8. With the above directions, the writ petition stands disposed of. No costs.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

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To

1. The Superintending Engineer,
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Distribution Company,
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2. The Executive Engineer,
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3.The Assistant Engineer,
(O & M) Operation & Maintenance,
Tamil Nadu Electricity Generation and
Distribution Company,
S.Pudur Village, Cuddalore Taluk,
Cuddalore District.

+1cc to M/s.R.Subramanian, Advocate (SR No.31517)

+1cc to M/s.D.Baskar, Advocate (SR No.31629)

W.P.No. 33671 of 2012

CP (CO)
PR (03/08/2021)