

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 01.04.2021

CORAM

THE HON'BLE MR.JUSTICE B.PUGALENDHI

W.P.Nos.8423 & 8425 of 2021

K.R.Mani ... Petitioner in WP.No.8423/2021

E.Palanisamy ... Petitioner in WP.No.8425/2021

vs.

1.The Chief Engineer,
Distribution,
Erode Region.

2.The Superintending Engineer,
Namakkal Electricity Distribution Circle,
Namakkal.

3.The Assistant Engineer,
Operation and Maintenance (Rural),
Tiruchengode,
Namakkal District.

... Respondents in both WPs

COMMON PRAYER: Writ Petitions filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus to direct the 2nd respondent to give HT Line electric connection to the pumping unit of the petitioners' Society, located at S.No.346, Molasi Village, Tiruchengode Taluk.

For Petitioner : M/s.Sherlina
for Mr.E.P.Senniayangiri

For Respondents: Mr.N.Damodaran
Standing Counsel

ORDER

These writ petitions are filed by the petitioners, who are members of Farmers Lift Irrigation Society, Tiruchengode Taluk, Namakkal District, for a mandamus directing the 2nd respondent to give HT electric connection to their pumping unit situated at S.No.346, Molasi Village, Tiruchengode Taluk, Namakkal District.

2. The case of the petitioners is that vide Government

Order in G.O.Ms.No.62, Public Works Department, dated 18.02.2010, the Government has granted permission to the petitioners' Society to draw water from river Cavery, on certain conditions, from the Well in S.No.346 of Molasi Village. Based on this Government Order, the Superintending Engineer, Upper Cavery Basin in his proceedings dated 17.06.2010, has also fixed the Horsepower to be utilized by the Society. The petitioners also said to have purchased lands in the year 2012 to draw HT lines and also purchased electric pumps and transformers, pursuant to the said Government Order. The petitioners said to have made an application for electric connection on 08.12.2014. The 2nd respondent has directed the petitioners to obtain no-objection certificate from the Village Administrative Officer and accordingly, the petitioners have obtained no-objection from the Village Administrative Officer as well as from the District Collector. Despite the same, the service connection has not been effected and therefore, the petitioners have approached this Court with the present writ petitions.

3. When the matter came up for admission today, learned Counsel appearing for the petitioners submitted that they are confining their prayer and that it would be sufficient if their applications, which are pending before the 2nd respondent from the year 2014, are directed to be disposed of within a stipulated time limit.

4. Mr.N.Damodaran, learned Standing Counsel takes notice on behalf of the respondents. Since the petitioners have confined their relief with regard to disposal of their applications, the process of directing the learned Standing Counsel to get instructions from the respondents is dispensed with.

5. It appears that the petitioners have applied for HT service connection based on the Government Order in G.O.Ms.No.62, Public Works Department, dated 18.02.2010. The said Government Order was passed in the year 2010 to draw water from the river Cavery, depending upon the flow of water in the river at the relevant point of time, on certain conditions.

6. Since the petitioners themselves have requested for disposal of their applications pending before the 2nd respondent from the year 2014, this Court, without expressing anything on the merits of the claim, directs the 2nd respondent to dispose of the applications of the petitioners, if any, on its own merits and strictly in accordance with law, after ascertaining as to whether the petitioners are eligible for the same, within a period of twelve weeks from the date of receipt of a copy of this order.

7. With the above direction, both the writ petitions stand disposed of. No costs.

Sd/-

Assistant Registrar (CO)

//True Copy//

Sub Assistant Registrar

mvs/gk

TO

1.The Chief Engineer,
Distribution,
Erode Region.

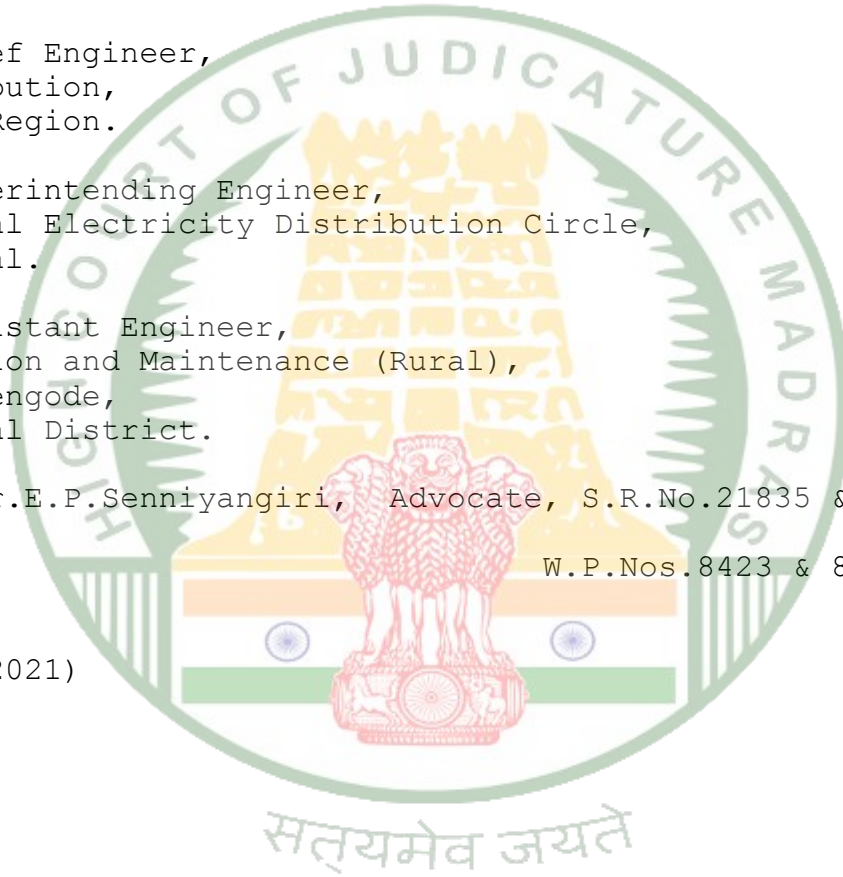
2.The Superintending Engineer,
Namakkal Electricity Distribution Circle,
Namakkal.

3.The Assistant Engineer,
Operation and Maintenance (Rural),
Tiruchengode,
Namakkal District.

+2cc to Mr.E.P.Senniyangiri, Advocate, S.R.No.21835 & 21836

W.P.Nos.8423 & 8425 of 2021

LN (CO)
GN (02/07/2021)



WEB COPY