



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.11.2021

CORAM :

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.NO.35032 OF 2016

R.Thanjan
S/o. Late Ramakrishna Gounder

... Petitioner

Vs.

1. Tamil Nadu Electricity Board,
Rep. by its Chairman,
Anna Salai, Chennai - 600 002.
2. The Divisional Engineer (O & M)
Tamil Nadu Electricity Board
Villupuram & District
3. The Executive Engineer (O&M)
Tamil Nadu Electricity Board
Gingee & Taluk
Villupuram.
4. The Junior Engineer (O&M)
Tamil Nadu Electricity Board
Vallam, Gingee Taluk
Villupuram 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 of the respondents, particularly the 3rd respondent's impugned order dated 11.07.2016 vide Ref.Ka.No.Se.PO/VA.P/Gingee/Ka.Ma/A No.293/2016 dated 28.06.2016 and quash the same and consequentially direct the respondents, particularly the 3rd respondent to re-connect the disconnected Service Connection No.30 to the petitioner's land properties, situated at Melathur Village, Gingee Taluk, Villupuram District, comprised in Ayyan Punja Survey Nos.16/7B, in all totaling to an extent of 12.00 Acres as demanded on the petitioner's representation dated 11.05.2015.



WEB COPY

For Petitioner : Mr.Sudhir Karumanchi
for M/s.J.J.R.Edwin

For Respondents : Mr.L.Jai Venkatesh
Standing Counsel
[For TANGEDCO]

O R D E R

The fact remains that there was a land dispute between the father of the writ petitioner and the brother of his father.

2. This civil dispute went up to the Hon'ble Supreme Court of India and during the relevant point of time the agricultural electricity service connection provided was disconnected. The parties adjudicated the matter and pursuant to the orders of the Hon'ble Supreme Court of India, subsequently, the subject property is allotted in favour of the petitioner, who is the son of Late.Ramakrishna Gounder. Originally, the electricity connection was granted in the name of Late.Ramakrishna Gounder and after resolving the civil dispute between the family members, now the land is allotted in favour of the petitioner.

3. Thus, the original electricity service connection granted in the name of Late.Ramakrishna Gounder cannot be restored at this length of time. On account of the fact that the connection was cancelled due to the civil dispute between the parties and this particular subject property allotted based on the judgment of the Courts in favour of the writ petitioner.

4. The petitioner had submitted the application for restoration of electricity connection. However, his application is to be treated for grant of electricity connection in accordance with the provisions of the Act and Rules and by following the seniority.

5. The learned counsel for the respondents/Electricity Board also clarified that the case of the petitioner will be considered in accordance with the seniority and by following the procedures as contemplated.

6. In view of the said submission, the respondents are directed to consider the case of the writ petitioner in accordance with the provisions of the Act and Rules and by following the seniority, as the petitioner is willing to pay the necessary charges for such service connection.



WEB COPY

7. With these directions, the Writ Petition stands disposed of. No costs.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

Jeni/Vs

To

1. The Chairman,
Tamil Nadu Electricity Board,
Anna Salai, Chennai - 600 002.
2. The Divisional Engineer (O & M),
Tamil Nadu Electricity Board,
Villupuram & District.
3. The Executive Engineer (O&M),
Tamil Nadu Electricity Board,
Gingee & Taluk,
Villupuram.
4. The Junior Engineer (O&M),
Tamil Nadu Electricity Board,
Vallam, Gingee Taluk,
Villupuram District.

+1cc to Mr.L.Jaivenkatesh, Advocate, S.R.No.58955

W.P.No.35032 of 2016

GPL(CO)
PM/26/11/2021