



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.09.2021

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. No.15685 of 2021

V.Saravanan,
S/o. V.Vellingiri.

...Petitioner

Vs.

The Assistant Engineer,
Tamilnadu Generation & Distribution
Corporation Ltd. (TANGEDCO),
Marchanayakanpalayam,
Pollachi-Thirchur Main Road,
Pollachi-642 103.
Coimbatore District.

...Respondent

PRAYER: Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondent to provide electricity connection (commercial) to the Petitioner's building comprised at D.No.7/137-A, Pollachi Main Road, Meenachipuram, Anaimalai Taluk.

For Petitioner : Mr.R.Nandha Kumar

For Respondent : Mr.Abul Kalam
Standing Counsel

ORDER

This writ petition has been filed for issue of writ of mandamus directing the respondent to provide service connection to the property belonging to the petitioner based on the online application made by the petitioner on 09.12.2020.



2.The case of the petitioner is that, he is the owner of the subject property and he is possession and enjoyment of the same. The further case of the petitioner is that the Revenue records have also been mutated in his name. The petitioner had also put up a construction in the subject property and he is going to utilise the same for commercial purposes.

3.The petitioner made an online application before the respondent after paying the necessary charges. When the petitioner verified the online status, it was mentioned that the application submitted by the petitioner was cancelled on 11.12.2020. The petitioner aggrieved by the same has filed the present Writ petition before this court seeking for appropriate directions.

4.When the matter was taken up for hearing, the learned Standing Counsel appearing on behalf of the respondent submitted that the decision was taken by the respondent based on the objections given by one Thanisraj on 22.07.2020. The said letter was also placed before this Court.

5.On a careful reading of the letter, it is seen that the said Thanisraj is objecting for providing service connection to the petitioner from the existing electricity pole on the ground that he is taking steps to shift the pole elsewhere. The respondent seems to have acted upon this representation and cancelled the online application.

6.In the considered view of this Court, there is admittedly an existing electricity pole through which service connection has already been given to the above said Thanisraj. The said Thanisraj cannot make an objection stating that no one else should be given the service connection from the same electricity pole. The electricity pole is the property of the respondent and it is always left open to them to give the service connection from any pole. The steps taken by the said Thanisraj to get the electricity pole shifted to another place, cannot stand in the way of the respondent considering the application submitted by the petitioner for service connection.

7.In view of the above discussion, there shall be a direction to the petitioner to submit a fresh online application



to the respondent. The petitioner shall also complete the wiring in his property and keep it ready. The respondent on receipt of the application shall act upon the same and if the petitioner has satisfied all the other requirements, the service connection shall be effected to the property belonging to the petitioner. It goes without saying that all the necessary charges will be paid by the petitioner in this regard. This process shall be completed, within a period of four weeks from the date of submission of the online application by the petitioner.

8. This writ petition is disposed of with the above directions. No Costs.

Sd/-
Assistant Registrar(CO)

// True Copy //

Sub Assistant Registrar

ssr/mka

To

The Assistant Engineer,
Tamilnadu Generation & Distribution
Corporation Ltd. (TANGEDCO),
Marchanayakanpalayam,
Pollachi-Thiruchur Main Road,
Pollachi-642 103. Coimbatore District.

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AJS(CO)
RLP(12/10/2021)