

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 02.08.2021

CORAM:

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH.,J

W.P.No.15940 of 2021 &
W.M.P.No.16838 of 2021

S.Muthusamy

... Petitioner

Vs

1. The Executive Engineer,
Operation and Maintenance,
TANGEDCO,
Pallipalayam Division,
Mettur EDC,
Pallipalayam
Namakkal District.
2. The Assistant Executive Engineer,
Operation and Maintenance,
TANGEDCO,
110 KV Sub station Pallipalayam Campus,
SPB Colony (PO)
Erode - 638 008.
3. The Assistant Engineer,
TANGEDCO,
Door No.4/70, Kokkarayanpet Post,
Komarapalayam Taluk - 638 008
Namakkal District.

4. S.Nachimuthu

.. Respondents

Prayer .: Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of certiorari and call for the records of the 1st respondent letter No.EE/O&M/P.P/CI/F.C/No.325/2021 dated 17.07.2021 and quash the same.

For Petitioner : Mr.S.Kolandasamy

For Respondents : Mr.M.Abdul Kalam

Standing counsel for R1 to R3

ORDER

This writ petition has been filed challenging the impugned proceedings of the 1st respondent dated 17.07.2021.

2. Heard the learned counsel for the petitioner and Mr.M.Abdul Kalam, learned Standing counsel appearing for respondents 1 to 3.

3. The case of the petitioner is that he is a marginal farmer having four acres of land, in which he is doing agriculture. The petitioner applied for agriculture service connection under the

Takkal scheme and he also paid the necessary charges. According to the petitioner, the Electricity service connection must be given from an open well and this is the only source of water through which he can irrigate his land. The grievance of the petitioner is that the 4th respondent has colluded with the official respondents and was causing hindrance to the petitioner from getting the service connection. In fact, the 4th respondent had also approached this Court and filed a writ petition on the ground that the petitioner is drawing water from the pond and is indulging in water supply business.

4. The 1st respondent has issued the impugned letter dated 17.07.2021 to the petitioner, calling upon the petitioner to produce the necessary certificate from the Revenue Tahsildhar and also the relevant FMB Sketch in order to establish that the water source in question is an open well. According to the learned counsel for the petitioner, all the documents have been submitted to the 1st respondent twice earlier and inspite of the same, the 1st

respondent is intentionally seeking for the documents only to harass the petitioner and prevent him from getting the service connection. The learned counsel submitted that the relevant documents will be submitted before the 1st respondent and some time limit may be fixed for the 1st respondent to consider the same and take a decision.

5. In the considered view of this Court, there is no ground to interfere with the impugned letter dated 17.07.2021 issued by the 1st respondent. In view of the specific stand taken by the learned counsel for the petitioner, there shall be a direction to the petitioner to hand over the relevant documents to the 1st respondent in line with the request made in the impugned letter dated 17.07.2021 and the 1st respondent on receipt of the same, shall take a decision, within a period of four weeks from the date of receipt of copy of the relevant documents from the petitioner.

6. The petitioner is directed to make a fresh representation to the 1st respondent along with all the relevant documents and also a copy of this order.

7. This writ petition is disposed of with the above directions. Consequently, the connected miscellaneous petition is closed.

02.08.2021

rka
Index : Yes /No
Internet :Yes /No



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N.ANAND VENKATESH.,J
rka

To

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