



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24-11-2021

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

WP No.14678 of 2014

And

MP No.1 of 2014

R.Balasubramani

..Petitioner

vs.

1. The Divisional Engineer (O & M),
Tamil Nadu Electricity Board,
TANGEDCO, Keelyeripatti,
Tiruchengode Taluk,
Namakkal District.

2. The Executive Engineer (O & M),
Tamil Nadu Electricity Board,
TANGEDCO,
Tiruchengode,
Namakkal District.

3. Tmt.Pavayee,
W/o.Late Rangasamy,
No.2-17BA, Periyakkadu,
Veppampalayam Village,
Eraiyamangalam Post,
Tiruchengode Taluk,
Namakkal District

(R-3 impleaded vide order of
Court dated 25.08.2014 made
in MP No.2 of 2014 in WP No.14678
of 2014)

..Respondents

Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorari, calling for the entire records relating to the impugned order passed by the second respondent in his Letter No.EE/O & M/Uu.Ka.A/Va.Pi.Thi/Ka.Mae.5/Ko-RDI No.55/2014 dated 26.03.2014 and quash the same.

For Petitioner

:Mr.C.Prakasam

For Respondents-1 and 2:Mr.L.Jai Venkatesh,

Standing Counsel for TANGEDCO.



O R D E R

The order impugned dated 26.03.2014 reveals that the respondent-Authorities asked the petitioner to submit his no objection from joint owners, who all are none other than the mother and sister of the petitioner as per Regulation 27(4) of the Tamil Nadu Electricity Supply Code. Under the provisions of the Tamil Nadu Electricity Supply Code, if the electricity connection is to be transferred, all legal heirs are bound to submit their no objection in favour of the person, who seeks transfer of electricity connection.

2. In the present case, when the petitioner has not produced the requisite no objection from the other legal heirs of the original allottee of electricity connection, the Authorities cannot effect name transfer or provide electricity connection.

3. In the event of any objection from the other legal heirs, it is for the parties to approach the Competent Civil Court for the purpose of establishing their property rights. Thus the Electricity Board Authorities are bound to follow the Regulations and as per the Regulations, they have asked the petitioner to submit his no objection from the mother and sister of the petitioner, which is yet to be produced.

4. Thus, the petitioner is directed to produce no objection from his mother and sister and only in the event of submitting such no objection, the Authorities would be in a position to consider the application submitted by the petitioner or otherwise, the respondents are bound to proceed accordingly by following the procedures in accordance with the Regulations in force.

5. With the abovesaid observations, the writ petition stands dismissed. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is also dismissed.

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

Svn



To

1. The Divisional Engineer (O & M),
Tamil Nadu Electricity Board,
TANGEDCO, Keelyeripatti,
Tiruchengode Taluk,
Namakkal District.

2. The Executive Engineer (O & M),
Tamil Nadu Electricity Board,
TANGEDCO,
Tiruchengode,
Namakkal District.

WP 14678 of 2014

PA (CO)
RGA (03/12/2021)