



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.12.2021

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.NO.3562 OF 2014

AND

M.P.NO.1 OF 2014

K.Pachaiappan

... Petitioner

Vs.

1. Divisional Engineer, TANGEDCO
Tamil Nadu Generation of Electricity
and Distribution Corporation,
Vandavasi,
Thiruvannamalai District.
2. Assistant Engineer, TANGEDCO,
Operation and Maintenance,
Tamil Nadu Generation of Electricity
and Distribution Corporation,
Nallur 604 405.
Thiruvannamalai District.
3. M.Rajendran

...Respondents

PRAYER : Writ Petition filed Under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 2nd respondent to provide Electricity Service Connection under agricultural registration No.1938/09.03.1988 for the well situate in S.No.33/1C1 of Padur Village, Vandhavasi Taluk in the name of the petitioner without insisting for no objection letter from the 3rd respondent.

For Petitioner : Mr.P.Satheesh Kumar

For Respondents : Mr.L.Jaivenkatesh
For TANGEDCO
[For R1 and R2]

Mr.N.Nagusah
[For R3]



O R D E R

The relief sought for in the present writ petition is to direct the second respondent to provide Electricity Service connection under Agricultural registration No. 1938/09.03.1988 for the well situate in S.No.33/1C1 of Padur Village, Vandhavasi Taluk in the name of the petitioner without insisting for no objection letter from the 3rd respondent.

2. Admittedly, an agreement was entered into between the petitioner and the respondents, which resulted in execution of sale deed. Civil dispute exists between the parties regarding the terms and conditions of the agreement as well as the sale deed executed, wherein certain conditions are imposed without the knowledge of the third respondent.

3. The learned counsel for the third respondent made a submission that in view of the dispute, the Electricity Board authorities have considered his objections and not provided Electricity Service connection to the petitioner.

4. This Court is of the considered opinion that when the third respondent raised an objection with reference to the terms and conditions in the sale deed as well as in the agreement, the parties are bound to resolve the said dispute for the purpose of availing the benefit of Electricity Service connection. In this regard, either of the parties are at liberty to approach the Civil Court of Law for the purpose of adjudication of the disputes and resolve the same and after reaching finality, the parties are at liberty to submit an application for the purpose of providing Electricity Service connection. In the event of filing an application along with all the required documents, then the authorities are bound to consider the same as per the procedures as contemplated.

5. With this liberty, the writ petition stand disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

nti/kak



To

1. The Divisional Engineer, TANGEDCO
Tamil Nadu Generation of Electricity
and Distribution Corporation,
Vandavasi,
Thiruvannamalai District.
2. The Assistant Engineer, TANGEDCO,
Operation and Maintenance,
Tamil Nadu Generation of Electricity
and Distribution Corporation,
Nallur 604 405,
Thiruvannamalai District.

W.P.No.3562 of 2014

KV (CO)
RLP (28/12/2021)