



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.10.2021

CORAM :

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.21631 of 2021

Ammayi

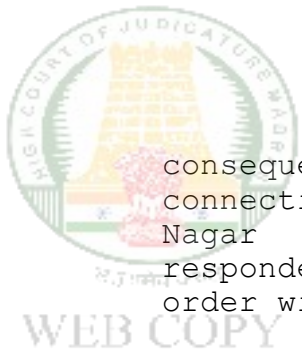
....Petitioner

-Vs-

- 1.The District Collector,
Dharmapuri District.
- 2.The District Backward Class,
Most Backward Class and Minorities Welfare Officer,
Dharmapuri District.
- 3.The Superintending Engineer,
Tamil Nadu Electricity Board,
Dharmapuri.
- 4.The Executive Engineer,
Tamil Nadu Electricity Board,
Dharmapuri.
- (R1, R2, R3 and R4 deleted vide Court order
dated 06.10.2021)
- 5.The Assistant Executive Engineer,
Tamil Nadu Electricity Board,
Adhiyaman Kottai,
Dharmapuri.
- 6.The Assistant Engineer,
Tamil Nadu Electricity Board,
Vennampatti Post.
Dharmapuri.
- 7.Mr.Pasupathi
The Assistant Engineer,
Tamil Nadu Electricity Board,
Vennampatti Post.
Dharmapuri.

....Respondents

Prayer:Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, calling for the entire records relating to the impugned order passed by the 6th respondent in his proceedings Ka.No.35 of 2021, dated:07.08.2021 and quash the same and



consequently direct the respondents to provide electricity connection to the petitioner plot No.57 in survey No.399, Nandhi Nagar and also take departmental action against the 7th respondent for dereliction of duty in passing the impugned order with false information.

For Petitioner :Mr.Krishnasamy Chinnasamy
For Respondents 5 to 6 :Mr.L.Jaivenkatesh,
Standing Counsel

O R D E R

On consent given by either side, the main writ petition itself has been taken up for hearing.

2. Respondents 1,2, 3 and 4 are unnecessary parties and hence they are deleted. Registry is directed to amend the cause title accordingly.

3. The subject matter of challenge pertains to the rejection letter issued by the sixth respondent dated 07.08.2021 and for a consequential direction to the respondents to provide service connection to the petitioner's property.

4. The case of the petitioner is that, the subject property was allotted by the second respondent in the name of the petitioner through proceedings dated 29.04.2002. Thereafter the petitioner has obtained a patta in her name and the documents filed before this Court shows that the petitioner is in possession and enjoyment of the property.

5. The petitioner made an application before the sixth respondent seeking for service connection for the subject property. The said application was rejected by the sixth respondent through the impugned letter dated 07.08.2021 by citing a writ petition wherein interim orders were granted by this Court in W.P.No.17992 of 2010. Aggrieved by the same, the present writ petition has been filed before this Court.

6. Heard Mr.Krishnasamy Chinnasamy, learned counsel for the petitioner and Mr.L.Jai Venkatesh, learned Standing Counsel appearing for the respondents 5 and 6.

7. It is seen from records that the writ petition that has been referred by the sixth respondent in W.P.No.17992 of 2010 was dismissed by this Court by an order dated 25.09.2018. However, the sixth respondent has proceeded to deal with the application as if the said writ petition is pending and there is an interim order acting against the petitioner.



8. The very basis on which the impugned letter has been issued by the sixth respondent is fallacious and requires the interference of this Court.

9. In view of the above, the impugned rejection letter dated 07.08.2021 issued by the sixth respondent is hereby quashed. The petitioner is directed to make a fresh representation along with all the relevant documents and also a copy of this order. On receipt of the same, the sixth respondent shall process the application made by the petitioner and if the petitioner satisfies all the requirements, shall proceed to provide service connection to the subject property belonging to the petitioner. This direction shall be complied with by the sixth respondent within a period of four weeks from the date of receipt of a copy of this order.

10. In the result, this writ petition is allowed. No costs.

-s/d-

Assistant Registrar(CCC)

True Copy

Sub-Assistant Registrar

KST

To

- 1.The District Collector,
Dharmapuri District.
- 2.The District Backward Class,
Most Backward Class and Minorities
Welfare Officer,
Dharmapuri District.
- 3.The Superintending Engineer,
Tamil Nadu Electricity Board,
Dharmapuri.
- 4.The Executive Engineer,
Tamil Nadu Electricity Board,
Dharmapuri.
- 5.The Assistant Executive Engineer,
Tamil Nadu Electricity Board,
Adhiyaman Kottai,
Dharmapuri.



6.The Assistant Engineer,
Tamil Nadu Electricity Board,
Vennampatti Post.
Dharmapuri.

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+1 CC to The Government Pleader sr 52780.

W.P.No.21631 of 2021

SJ(CO)
SP(28/10/2021)