



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.10.2021

CORAM:

THE HONOURABLE MR. JUSTICE R. MAHADEVAN

W.P. No. 22464 of 2021

and

W.M.P. No. 23700 of 2021

K. Palanisamy

.. Petitioner

Versis

The District Backward Class Welfare
and Minority Welfare Officer,
District Collector Office Complex,
Coimbatore.

.. Respondent

Petition filed under Article 226 of the Constitution of India praying for a Writ of Mandamus, directing the respondent to consider the petitioner's representation dated 01.11.2020 and 21.3.2021 and pass order as per the order in W.P.No.10389 of 2018.

For Petitioner	:	Mr. M.S. Harsha Prabhu
For Respondents	:	Mr. G. Krishnaraja, Government Counsel

O R D E R

Mr. G. Krishnaraja, learned Government Counsel takes notice on behalf of the respondent. By consent of both parties, this writ petition is disposed of at the stage of admission itself.

2. According to the petitioner, he is a farmer owning 1.84 aces of land in Kothapalayam, Semmandampalayam Village near Tiruppur Town. He applied for agricultural loan with Tamilnadu Backward Class Economic Development Corporation through Syndicate Bank for Rs.1,50,000/-. Accordingly, loan was sanctioned and disbursed to him and he had erected deep borewell in his land and is doing drip irrigation through motor pump. On 29.11.2015 through paper publication, the District Collector invited applications from the farmers doing agriculture in small scale to avail the loan facility of Rs.1,00,000/- along with subsidy of Rs.50,000/- granted by the Tamilnadu Backward Class Economic Development Corporation, towards cost of erecting deep bore well and in that event, to avail the facility of free service connection. As per the above notification, the petitioner sought for free electricity connection as early as on 13.7.2018 from the Electricity Department, however, he was given electricity service connection for 7.5 HP load upon payment, until free service



connection is granted. According to the petitioner, as per the abovesaid scheme, though he is entitled for free service connection, he was not given priority in granting free service connection besides, the subsidy of Rs.50,000/- was also not given to him. Therefore, he made a representation to the respondent on 8.5.2017, but the same was summarily rejected by the respondent vide proceedings issued in Na.Ka.No.2140/2016/Ka6, dated 24.1.2018, stating that there was no rule to set off the subsidy amount with the loan amount availed by the petitioner; there was no rule to convert his paid service connection into free service connection; liberty was given to the petitioner to make a proper representation before the District Committee consisting the members of District Collector, The District Backward Class Welfare and Minority Welfare Officer, Asst. General Manager (NABARD), The Deputy Director, Agriculture Department, Executive Engineer (Agriculture Engineering), Superintendent Engineer of Electricity Board and the concerned bank representatives. The petitioner challenged the above said order dated 24.1.2018 passed by the respondent before this Court in W.P.10389 of 2018 and the same was disposed of with a direction to the petitioner to make appropriate application before the respondent within a period of two weeks from the date of receipt of a copy of this order and on receipt of the same, the respondent shall consider it and pass appropriate orders for grant of subsidy as well as priority for free agricultural electricity service connection. Accordingly, the petitioner through his representations dated 1.11.2020 and 21.3.2021 approached the respondent, but till date, there is no action on the part of the respondent. Therefore, the petitioner has filed the writ petition for the aforesaid relief.

3. Heard the counsel for both sides and perused the material records placed.

4. This Court on an earlier occasion, by order dated 8.10.2020, directed the respondent to consider the claim of the petitioner for granting free electricity service connection and agriculture subsidy. According to the petitioner, such an order has not been complied with till date. However, instead of filing contempt application, the petitioner has moved the present writ petition before this Court.

5. In view of the same, this writ petition stands disposed of granting liberty to the petitioner to initiate contempt proceedings against the respondent, if the earlier order passed by this Court referred above has not been complied with so far. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS)



To

The District Backward Class Welfare
and Minority Welfare Officer,
District Collector Office Complex,
Coimbatore.

+1 cc to Mr.M.S. Harsha Prabhu, Advocate Sr.NO. 54363

+1 cc to Government Pleader Sr.NO. 54618

WP No. 22464 of 2021

PA(CO)

A.SK(10.11.2021)