



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.12.2021

CORAM:

THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

W.P.No.30667 of 2018

K.Gopu

..Petitioner

Vs.

- 1.The Superintending Engineer,
Tamil Nadu Electricity Generation
and Distribution Corporation,
Dharmapuri, Dharmapuri District.
- 2.The Executive Engineer,
Tamil Nadu Electricity Generation
and Distribution Corporation,
Operation and Maintenance,
Kadathur, Dharmapuri District.
- 3.The Assistant Executive Engineer,
Tamil Nadu Electricity Generation
and Distribution Corporation,
Operation and Maintenance,
Morappur, Harur Taluk,
Dharmapuri District.

4.K.Ravi

... Respondents

PRAYER: This Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order passed by the 2nd respondent in Ka.No.Se.Po/E.Pa/Kadathur/Va.AA/Ko:Vee.Ku.Thee.Na.Koo.Ma/ No. 1150/2018 dated 20.08.2018 and to quash the same and direct the respondents 1 to 3 herein to change the Survey Nos.114/3B in respect of agricultural electricity service connection No.778 and Survey No.73/4 in respect of agricultural electricity service connection No.886 forthwith for the wells situated at Ettipatti Village, Harur Taluk, Dharmapuri District.



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For Petitioner : Mr.C.Prabakaran

For Respondents : Mr.L.Jaivenkatesh,
Standing Counsel for R1 to R3

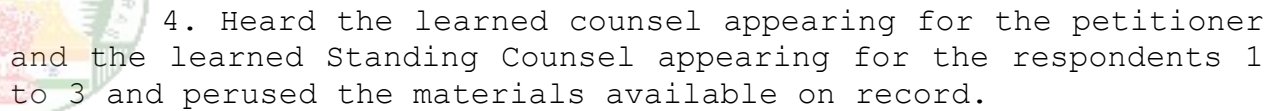
Mr.S.Angamuthu for R4

ORDER

This Writ Petition has been filed challenging the impugned order passed by the second respondent dated 20.08.2018 and to direct the respondents 1 to 3 herein, to change the Survey Nos.114/3B in respect of agricultural electricity service connection No.778 and Survey No.73/4 in respect of agricultural electricity service connection No.886 forthwith for the wells situated at Ettipatti Village, Harur Taluk, Dharmapuri District.

2. The petitioner herein is the owner of the Survey No.114/3B Situated at Ettipatti Village, Harur Taluk, Dharmapuri District. When the petitioner has made an application for Electricity Service Connection, he mentioned the Survey Number wrongly as 73/4, instead of Survey No.114/3B, which property belongs to the 4th respondent. The 4th respondent also made a request to change the Survey Number for his Electricity Service Connection as 73/4 instead of 114/3B. Therefore, the petitioner has made a representation on 24.12.2017 to the third respondent, since the same has not been disposed of, the petitioner's father had submitted a representation to the District Collector, Dharmapuri, in a grievance day meeting and the same was forwarded to the 2nd respondent and the 2nd respondent passed the order stating that there is no such provision under the Tamil Nadu Electricity Supply Code as well as the computer of the Respondent Department is not having such facility to change the Survey Numbers. Aggrieved over the same, with no other option the petitioner is before this Court by virtue of the present writ petition.

3. The learned Standing Counsel appearing for the respondents 1 to 3 submits that whatever, the order passed by this Court, they are ready to comply with the same. However, with regard to the change of Survey Numbers, the petitioner has to produce the patta of the land and all other relevant documents to prove his ownership. In such an event, the same will be considered by the respondents 1 to 3 herein.



5. On perusal, it appears that at the time of making application for the Electricity Service Connections, the petitioner as well as the 4th respondent have wrongly mentioned the survey numbers and the connection was also effected to the wrong survey numbers. Thereafter, the petitioner and the 4th respondent have made their applications requesting the respondents 1 to 3 to correct the survey numbers. But, it is unfortunate that the request was rejected on the ground that there is no such provision to change the survey numbers. However, at the time of scrutinization and at the time of granting Electricity Service Connection, it is the duty of the respondents to verify the survey numbers properly, but it is not done in the present case and even after, the request of the petitioner and the 4th respondent the same was rejected. It is not the mistake on the part of the petitioner alone but equally on the respondents also. Therefore, the respondents have no right to deny the change of survey numbers, stating that there is no such provision in the Act, which the petitioner is legally entitled for and there is no need for any separate provision. The power to receive application and the power to provide the Electricity Service Connection on the particular Survey Number itself empowers the right to the respondents to correct the Survey Number in the application and in the register and other records maintained by the respondent. In the event, if there is any mistake on them and for which, this Court is of the view that no specific provision is required and as such, the respondents are empowered to make corrections in their records in accordance with law.

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7. Accordingly, the writ petition stands allowed. No Costs.

Sd/-

Assistant Registrar(CS-V)

// True Copy //

Sub Assistant Registrar

Pns

To

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and Distribution Corporation,
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- 2.The Executive Engineer,
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- 3.The Assistant Executive Engineer,
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and Distribution Corporation,
Operation and Maintenance,
Morappur, Harur Taluk,
Dharmapuri District.

+1cc to Mr.C.Prabakaran, Advocate SR.No.66941
+1cc to Mr.L.Jaiganesh, Advocate SR.No.67608

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VSN II(CO)
CB(20/01/2022)