



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.04.2021

CORAM :

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

**W.P. (MD) .No.7911 of 2021
and
W.M.P. (MD) .No.6038 of 2021**

Kumaravel

...Petitioner

Vs.

1. The Chief Engineer,
Tamil Nadu Generation and Distribution
Corporation Limited, Tennur,
Tiruchirappalli-620 017.
2. The Executive Engineer,
Tamil Nadu Generation and Distribution
Corporation Limited, Viralimalai-621 316.
Pudukottai District.
3. The Assistant Engineer (North),
Operation and Maintenance,
Tamil Nadu Generation and Distribution
Corporation Limited, Viralimalai-621 316,
Pudukottai District.
4. Karuppaiah
5. Murugan
6. Subbaiah
7. Arumugam

... Respondents

Prayer: This Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 3 not to give any agricultural electricity service connection to the respondents 4 to 8 jointly or severally to the common well located in Manamettuppatti Hamlet in Survey No.205/7 of Mepoothakudi Village, Viralimalai Taluk, Pudukkottai District, without the written consent of the petitioner based on the representations made by the petitioner on 08.09.2020, 04.11.2020 and 24.02.2021.



For Petitioner : Mr.T.M.Madasamy
For R-1 to R-3 : Mrs.M.Rajeswari
for Mr.S.M.S.Johny Basha
Standing Counsel

ORDER

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This Writ Petition has been filed for the issue of a Writ of Mandamus directing the respondent Nos.1 to 3 to act upon the representation made by the petitioner, wherein, the petitioner has sought for forbearing the official respondents not to give agricultural electricity service connection to respondents 4 to 7 in the common well situated in the subject property.

2. The case of the petitioner is that the common well situated in the subject property is utilized by 11 persons and efforts were made by respondents 4 to 7 to get agricultural electricity service connection in their names by excluding the others, who were using the well. The petitioner, therefore, made representations to the official respondents objecting to granting service connection exclusively in the name of respondents 4 to 7. Since the same was not considered, the present Writ Petition has been filed before this Court seeking for appropriate directions.

3. Heard Mr.T.M.Madasamy, learned counsel appearing for the petitioner and Mrs.M.Rajeswari, learned counsel representing Mr.S.M.S.Johny Basha, learned Standing Counsel appearing for the respondents 1 to 3.

4. Taking into consideration the facts and circumstances of the case and the limited relief sought for in this Writ Petition, there shall be a direction to the second respondent to consider the representation made by the petitioner on 04.11.2020 by affording opportunity to the petitioner and respondents 4 to 7 and other persons, who have an interest over the subject well and take a decision, strictly in accordance with law, within a period of six (6) weeks from the date of receipt of a copy of this order.

5. The petitioner is directed to make a fresh representation to the second respondent along with all the relevant documents and also a copy of this order.

6. The Writ Petition stands disposed of with the above directions. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)



Tsg

To

1. The Chief Engineer,
Tamil Nadu Generation and Distribution
Corporation Limited, Tennur,
Tiruchirappalli-620 017.
2. The Executive Engineer,
Tamil Nadu Generation and Distribution
Corporation Limited, Viralimalalai-621 316.
3. The Assistant Engineer (North),
Operation and Maintenance,
Tamil Nadu Generation and Distribution
Corporation Limited, Viralimalalai-621 316,
Pudukottai District.

NOTE:

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

Order made in
W.P. (MD) .No.7911 of 2021
Dated:

16.04.2021

RK (30.04.2021) 3P 4C