



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.06.2021

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD).No.8277 of 2021

Dr.S.Chellam

...Petitioner

Vs.

The Assistant Engineer,
Tamil Nadu Generation and Distribution Corporation Ltd.,
Distribution/Theppam/Urban,
Madurai,
Madurai District.

... Respondent

Prayer: This Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent to give the Electricity Service Connection to the petitioner's new residential house situated at No.4/678-1, Theivakanni Street, Iravathanallur, Viraganur Post, Madurai-625 009, bearing Service Connection Nos.050270081932 and 050270081933 based on his representation dated 18.03.2021 within the time limit that may be stipulated by this Cour.

For Petitioner

: Mr.G.Thalaimutharasu

For Respondent

: Mrs.M.Rajeswari
for Mr.S.M.S.Johnny Basha

ORDER

This writ petition has been filed for the issuance of writ of Mandamus directing the respondents to give electricity connection to the residential house belonging to the petitioner based on the representation made by the petitioner, on 18.03.2021.

2.The case of the petitioner is that he had constructed a house property during July 2020 and the property is also assessed to property tax by the Madurai Corporation. The petitioner applied for new electricity service connection, on 09.02.2021,



after paying the necessary fees. On receipt of the application a spot inspection was made and it is stated in the affidavit that the respondents also allotted the electricity service connection number and the necessary accessories.

3. When the petitioner was expecting the service to be provided, some objections were made by two persons, who claimed that the electric poll was laid in their property and not in the street. Therefore, the petitioner was directed to get a certificate from the Village Administrative Officer and an inspection was made and it was found that the electric poll is situated only in the street and not within any private property. This report was also submitted before the respondent.

4. The grievance of the petitioner is that in spite of fulfilling all the requirements, the respondent was dragging the issue and left with no other alternative, the present writ petition has been filed before this Court, seeking for appropriate directions.

5. Heard Mr. G. Thalaimutharasu, learned counsel appearing for the petitioner and Mrs. Rajeswari, learned counsel for Mr. S. M. S. Johnny Basha, learned Standing Counsel appearing for the respondent.

6. The learned Standing counsel appearing on behalf of the respondent on instructions submitted that the house of the petitioner is at the height of nearly 50 meters and hence a Certificate must be obtained from the Electricity Inspector. Thereafter, the application submitted by the petitioner will be considered.

7. In the considered view of this Court, the electricity service connection, to which the petitioner is entitled, is being denied by stating one reason after another and for the last one year, the petitioner is being made to run from pillar to post. In fact, earlier a spot inspection was done and the service connection number was also allotted and accessories were also fixed. What is left is to energise the service connection by connecting the wire from the poll that is already available in the street. The electric poll is located in the street and the same is clear from the Certificate issued by the Village Administrative Office. Therefore, there is absolutely no ground to postpone the grant of electricity service connection to the petitioner.

8. In the result, this writ petition is allowed and there shall be a direction to the respondent to provide electricity service connection to the petitioner, within a period of two weeks from the date of receipt of the completion Certificate from the



petitioner. The petitioner shall make a representation along with the Completion Certificate and a copy of this order to the respondent. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)

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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.

To

The Assistant Engineer,
Tamil Nadu Generation and Distribution Corporation Ltd.,
Distribution/Theppam/Urban,
Madurai,
Madurai District.

**W.P. (MD) .No.8277 of 2021
17.06.2021**

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