



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :04.06.2021

CORAM:

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

W.P(MD)No.9665 of 2021

(Through Video Conference)

S.Balamurugan

... Petitioner

Vs.

1.The Superintending Engineer,
(Maintenance & Operations),
Tamil Nadu Power Generation and
Distribution Corporation Ltd.,
TANGEDCO, K.Pudur, Madurai.

2) The Executive Engineer,
(Maintenance & Operations),
Tamil Nadu Power Generation and
Distribution Corporation Ltd.,
TANGEDCO, Thirumangalam,
Madurai District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondents herein to provide the free agricultural electricity service connection to the petitioner agricultural lands comprised in Survey No.67/5A situated at O.Alangulam Village, Thirumangalam Taluk, Madurai District in pursuance to the petitioner application dated 09.04.2021 within the time stipulated by this Court.

For Petitioner : Mr.G.Velumani

For R-2 : Mrs.S.Srimathy,
Senior Standing Counsel.

O R D E R

Mrs.S.Srimathy, learned Senior Standing Counsel for the Government, accepts notice on behalf of the respondents.

2. By consent, the writ petition is taken up for final disposal at the admission stage itself.

3. This writ petition has been filed by the petitioner seeking for issuance of a Writ of Mandamus, directing the respondents herein



to provide free agricultural electricity service connection to the petitioner's agricultural lands comprised in Survey No.67/5A situated at O.Alangulam Village, Thirumangalam Taluk, Madurai District based on the representation given by the petitioner dated 09.04.2021.

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4. According to the petitioner, in the year 1998, the petitioner's father had applied for free electricity connection for his lands comprised in Survey No.67/5A situated at O.Alangulam Village, Thirumangalam Taluk, Madurai District but the same was not considered by the second respondent. After his demise, the petitioner has approached the respondents seeking free electricity connection and he also made a representation to the second respondent on 20.02.2021. In reply to the representation made by the petitioner, the second respondent had sent a letter dated 17.03.2021 stating that the petitioner's father's name has been included under the beneficiaries list by the respondent Department.

5. The grievance of the petitioner is that even though there is no change in the address of the petitioner, the above said letter dated 17.03.2021 was sent returned to the respondents stating "address is incorrect" by the Postal Department. It is also pertinent to note that the second respondent has stated in the said letter that within 90 days period, the beneficiary should avail free electricity connection service, otherwise the said benefit will not be extended to the beneficiary. The petitioner further made a representation dated 09.04.2021 to the respondents. Till date, the respondents have not considered the representation of the petitioner and therefore, the petitioner has approached this Court by way of filing the present writ petition.

6. The learned counsel for the petitioner would state that it would be suffice if a direction is given to dispose of the representation of the petitioner.

7. The learned Senior Standing Counsel for the respondents would state that the representation of the petitioner would be considered within a reasonable time.

8. Considering the submissions of the learned counsel for the petitioner as well as the respondents and in the light of the facts and circumstances of the case, without going into the merits of the case projected by the petitioner either in his representation or in this Writ Petition, the second respondent is directed to consider the representation of the petitioner dated 09.04.2021, on merits and in accordance with law and pass appropriate orders within a period of twelve weeks from the date of receipt of a copy of this order.



9. With the above direction, the writ petition is disposed of. However, there shall be no order as to costs.

Sd/-

Assistant Registrar (ADII)

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// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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:

1.The Superintending Engineer,
(Maintenance & Operations),
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