



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 15.09.2021**

**CORAM**

**THE HONOURABLE MR.JUSTICE SETHILKUMAR RAMAMOORTHY**

**W.P(MD)No.16428 of 2021**

P. Arumugam

... Petitioner

**Vs.**

1.The Superintendent Engineer,  
Tamil Nadu Electricity Board,  
TANGEDCO,  
Meenakshi Naickan patti,  
Dindigul District.

2.The Junior Electrical Engineer (Grade I),  
Tamil Nadu Electricity Board,  
Operation and Maintenance,  
TANGEDCO,  
Ayyalur,  
Vedasendhur Taluk,  
Dindigul District.

3.The Executive Engineer,  
Tamil Nadu Electricity Board, TANGEDCO,  
Vedasendhur Taluk,  
Dindigul District.

... Respondents

(Respondent No.3 *suo motu* impleaded as per order of this Court dated 15.09.2021)

**Prayer** : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the second respondent to consider petitioner's representation dated 05.08.2021 and to shift the existing Electric Service Connection No.160 in his name from Survey No.397 to Survey No.399 Punja land situated in Chithuvarpatti Village in Vedasendhur Taluk in Dindigul District.

For Petitioner : Mr.A.R.Sethupathy  
For Respondents : Mrs.M.Parameswari  
for Mr.M.S.Johnny Basha  
Standing Counsel

**ORDER**

The petitioner seeks a direction to the Junior Electrical Engineer (Grade-I), TANGEDCO, Ayyalur, Chithuvarpatti Village, Vedasendhur Taluk, Dindigul District to shift the existing electricity service connection No.160 from Survey No.397 to Survey No.399 of Chithuvarpatti Village.



2. The petitioner states that he obtained an electricity service connection from the Tamil Nadu Electricity Board under the scheme for provision of free electricity service connection for use in agriculture. Such connection was provided in respect of the land bearing Survey No.397. The petitioner states that subsequently he came to know that the land in Survey No.397 was the land coming under the jurisdiction of the Hindu Religious and Charitable Endowments Department. In such circumstances, the petitioner requested TANGEDCO to permit the electricity service connection bearing No.160 to be transferred from Survey No.397 to Survey No.399. The petitioner asserts that he is the owner of the land bearing Survey No.399 under the registered sale deed dated 17.04.1997 bearing Document No.542/1977.

3. Mrs.M.Parameswari, learned counsel appearing for Mr.S.M.S.Johnny Basha, learned Standing Counsel, accepts notice on behalf of all the respondents. She submits that, ordinarily, a request for transfer of service connection granted under the scheme for provision of free electricity service connection is not accepted. In any event, she submits that before an application for such purpose is considered, the applicant should satisfy the TANGEDCO that he is indeed the owner of the land to which he seeks transfer of the relevant electricity service connection. Unless all relevant documents in such regard are produced, she states that the application cannot be considered. In addition, she points out that the authorised officer in such regard is the Executive Engineer and that, therefore, he should be directed to consider the relevant application.

4. In view of the submissions of learned Counsel for the TANGEDCO that the Executive Engineer is the authorised officer to consider such application, the Executive Engineer, Tamil Nadu Electricity Board, TANGEDCO, Vedasendhur Taluk, Dindigul District, is *suo motu* impleaded as the third respondent to this Writ Petition. The Registry is directed to issue the order after carrying out an amendment to the cause-title.

5. In the aforesaid facts and circumstances, without going into the merits of the matter, the petitioner is permitted to submit a fresh representation to the jurisdictional Executive Engineer. Such representation shall be submitted within a period of two (2) weeks from the date of receipt of a copy of this order by enclosing all relevant documents to establish title and possession to the property bearing Survey No.399. Upon receipt thereof, the Executive Engineer is directed to consider such application by taking into account the relevant rules and circulars in such regard and dispose of the said representation within a period of four (4) weeks from the date of receipt of the fresh representation. Before issuing orders in such regard, the Executive Engineer is directed to provide a reasonable opportunity to the petitioner.



6. W.P.(MD).No.16428 of 2021 is disposed of on these terms without any order as to costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

WEB COPY

/ /2021

Sub Assistant Registrar(CS)

tsg/nsr

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 Superintendent Engineer,  
Tamil Nadu Electricity Board,  
TANGEDCO,  
Meenakshi Naickan patti,  
Dindigul District.
- 2.The Junior Electrical Engineer (Grade I),  
Tamil Nadu Electricity Board,  
Operation and Maintenance,  
TANGEDCO,  
Ayyalur,  
Vedasendhur Taluk,  
Dindigul District.
- 3.The Executive Engineer,  
Tamil Nadu Electricity Board, TANGEDCO,  
Vedasendhur Taluk,  
Dindigul District.

+1 CC to M/s.T.R.SUBRAMANIAN, Advocate ( SR-29134  
[F] dated 15/09/2021 )

W.P (MD) No.16428 of 2021  
15.09.2021

PS (CO)  
KB (23.09.2021) 3P 5C