



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 11.11.2021**

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P. (MD) No.18877 of 2021

and WMP (MD) No.15701 of 2021

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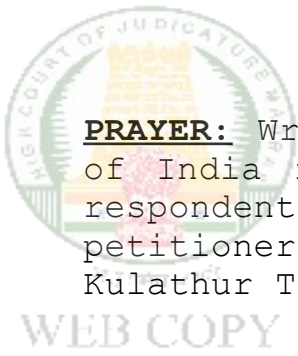
1. Kanagaraj
2. Vasanthi
3. Immanuel
4. Suganya
5. Banu
6. Parameshwari
7. Saraswathi
8. Rabiyaathulhasiriyah
9. Mamutha
10. Bojiyabanu
11. Sankar
12. Abdul Raheem
13. Nizar Ahamed
14. Anwar Hussain
15. Vijayakumar S/o. Muniyandi
16. Vijayakumar S/o. Kandasamy
17. Sebastian Mary
18. Vivek

... Petitioners

vs.

1. The District Collector,
Pudukottai District.
2. The Superintending Engineer,
Tamil Nadu Generation and Distribution Corporation Limited,
TANGEDCO, Pudukottai.
3. The Tahsildar,
Kulathur,
Pudukottai District.
4. The Assistant Executive Engineer,
(Operation and Maintenance),
Tamil Nadu Generation and Distribution Corporation Limited
TANGEDCO,
Keeranur Post, Kulathur Taluk,
Pudukottai District.
5. The Assistant Engineer,
(Operation and Maintenance),
Tamil Nadu Generation and Distribution Corporation Limited,
TANGEDCO,
Muthur Post, Kulathur Taluk,
Pudukottai District

... Respondents



PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the fifth respondent to give electricity service connection to the petitioner's house comprised in S.F. No.206/2 of Mathur Village, Kulathur Taluk Pudukottai District.

Petitioner : Mrs. G.Yazhini for
for M/s.P.Ganapathi Subramanian

For Respondents : Mr.S.Shanmugavel
No.1 and 3 Counsel for State

No.2,4 and 5 : Ms. M.Rajeswari
for S.M.S. Johnny Basha

O R D E R

This petition has been filed by about 18 petitioners for whom necessary permission has been granted in W.P(MD) No. 10167 of 2021 dated 07.07.2021.

2. The petition has been filed seeking direction to the fifth respondent to give electricity service connection to the house of the petitioners in S.F. No.206/2 in Mathur Village, Kulathur Taluk, Pudukottai District. Both the learned counsel for the petitioners and the learned Government Advocate representing the respondents have place reliance on the earlier judgment of this Court in W.P(MD) No.3769 of 2013, wherein necessary pre-condition to be undertaken by the petitioner has been stated for giving electricity connection. This is extracted for reference:

"4. The issue involved in the present Writ Petition has already been dealt with in W.P. (MD). No.3769 of 2013. That Writ Petition was filed by the other residents in the same locality seeking for service connection. It will be beneficial to extract the order passed in the said Writ Petition on 15.04.2013 hereunder:-

"3. The learned Additional Government Pleader on instruction submitted that the Tahsildar is prepared to give 'no objection' certificate for the purpose of taking electricity connection to the residence of the petitioners, in case they submit individual affidavits, undertaking to vacate the property whenever notice is issued to that effect by the Government.

<https://hcservices.ecourts.gov.in/hcservices/> 4. The learned Standing Counsel for the Tamil Nadu Generation and Distribution Corporation



Limited submitted that the 2nd respondent is prepared to provide electricity connection to the petitioners, in case 'no objection' certificate is obtained from the Tahsildar.

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5. The learned counsel for the petitioners submitted that the petitioners are prepared to execute an affidavit before the Tahsildar to the effect that they will vacate the property in the event Government requires the lands.

6. The petitioners are directed to approach the Tahsildar, Kulathur to execute an undertaking affidavit to the effect that they will vacate the property in the event of Government requires the lands, for the purpose of obtaining 'no objection' certificates for electricity connection. In case the petitioners give any such undertaking to vacate the property, necessarily 'no objection' certificate should be given by the Tahsildar, Kulathur within two weeks from the date of receipt of such undertaking. Similarly, in the event of producing 'no objection' certificates by the petitioners before the second respondent, the application for electricity connection should be considered and disposed of within a period of two weeks from the date of receipt of application."

3. The petitioners have to necessarily comply with the conditions and a direction is given to the petitioners to comply with the conditions. The respondents shall provide electricity connection to the petitioners provided they comply with the pre conditions as prescribed by the respondent and after paying necessary fees as required.

4. With the above directions, the Writ Petition stands disposed of. No costs. Consequently connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)



To

1. The District Collector,
Pudukottai District.
2. The Superintending Engineer,
Tamil Nadu Generation and Distribution Corporation Limited,
TANGEDCO, Pudukottai.
3. The Tahsildhar,
Kulathur,
Pudukottai District.
4. The Assistant Executive Engineer,
(Operation and Maintenance),
Tamil Nadu Generation and Distribution Corporation Limited
TANGEDCO,
Keeranur Post, Kulathur Taluk,
Pudukottai District.
5. The Assistant Engineer,
(Operation and Maintenance),
Tamil Nadu Generation and Distribution Corporation Limited,
TANGEDCO,
Mathur Post, Kulathur Taluk.
Pudukottai District

+1 CC to M/s.SPL.GP (SR-34256[F] dated 12/11/2021)

W.P. (MD) No.18877 of 2021
11.11.2021

RK(09/12/2021) 4P 7C