



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 05.01.2021

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THE HONOURABLE MR.JUSTICE **G.R.SWAMINATHAN**

W.P. (MD)No.15966 of 2015
and
M.P. (MD)No.1 of 2015

P.Virumandi : Petitioner

Vs.

- 1.The Executive Engineer,
Office of the Executive Engineer,
TANGEDCO, Arasaradi West, Madurai.
- 2.The Assistant Executive Engineer,
Office of the Assistant Executive Engineer,
TANGEDCO, Pasumalai, Madurai.
- 3.The Assistant Engineer,
Generation and Distribution,
TANGEDCO, TVS Nagar, Madurai.

4.P.Sivanammal (Died)
5.P.Mukesh : Respondents

(R5 impleaded vide order of this Court, dated 05.01.2021 in W.M.P. (MD)No.13172 of 2017)

PRAYER:- Petition filed under Article 226 of the Constitution of India seeking a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order in Ka.No.UMIPO/PA/TVS NAGAR/KO.KATTU/A.NO.429/2015 dated 05.08.2015 on the file of respondent no.3 and quash the same as illegal and consequently to direct the respondent No.3 to provide electricity connection to the petitioner's properties in Survey No.472/1 to an extent of 2200 Sqft situated at No.42, E.B.Main Road, Muthuramalingapuram, Pykara, Madurai District within the time frame stipulated by this Court.

For Petitioner	:Mr.T.Lajapathi Roy
For R1 to R3	:Mrs.M.Parameswari
	for Mr.S.M.S.Johnny Basha
For R5	:Mr.M.Kannan



ORDER

Heard the learned Counsel on either side.

2.The petitioner applied to the TANGEDCO for providing electricity connection. Since the petitioner's request was rejected, questioning the same, the present Writ Petition came to be filed.

3.It is seen that the first respondent have chosen to reject the petitioner's application solely on the reason that there was an objection. That cannot be a ground for rejection. If the petitioner furnishes all the relevant records, then the authorities are bound to provide electricity service connection. It is quite possible that some frivolous objections may be raised by some third parties against the petitioner. Citing the same, the petitioner cannot be denied his legitimate entitlement. Therefore, the impugned order is quashed and the matter is remanded back to the file of the third respondent. The third respondent is directed to consider the case afresh and if the petitioner provides all the relevant records, the petitioner's request for providing electricity connection will have to be accepted without any delay. This Writ Petition is allowed on this terms. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS II)

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Sub Assistant Registrar(CS)

Cmr

+1 CC to M/s.T.LAJAPATHI ROY, Advocate (SR-221[F] dated 06/01/2021)

W.P.(MD)No.15966 of 2015
05.01.2021

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MJ(CO)

KK(04.02.2021) 2P 2C