



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.12.2021

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P. (MD) No.22376 of 2021

and

W.M.P. (MD) Nos.18935 and 18936 of 2021

WEB COPY

K.Nallamuthu

... Petitioner

vs.

1.The Tamil Nadu Generation and
Distribution Corporation Limited,
The Designated Engineer,
AE/O & M/West/Usilampatti,
Usilampatti, Madurai District.

2.M.Muthammal

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari Mandamus, to call for the records of the first respondent in its impugned proceeding the reference No.200051800621210, dated 29.06.2021, set aside the same, consequently, direct the first respondent to provide permanent E.B. Service Connection to the petitioner's house as Door No.1/579, South Street, Thottappa Naickanur, Usilampatti Taluk, Madurai District and decide the same on merit and in accordance with law.

For Petitioner	:	Mr.K.Prapakaran
For R1	:	Mrs.Parameswari
		for M/s.SMS.Johnny Basha
		Standing Counsel

ORDER

The writ petition has been filed in the nature of Writ of Certiorari Mandamus, seeking interference of an order, dated 29.06.2021 in reference No.200051800621210 and consequently, direct the first respondent/Tamil Nadu Generation and Distribution Corporation Limited, The Designated Engineer, AE/O & M/West/Usilampatti, Usilampatti, Madurai District to grant electricity connection to the petitioner in Door No.1/579, South Street, Thottappa Naickanur, Usilampatti Taluk, Madurai District.

2.In the affidavit filed in support of the writ petition, it had been stated that the petitioner had purchased the suit property on 23.04.2007 by way of a registered sale deed registered as Document No.1196 of 2007. Subsequently, however, the second respondent appears to have filed a suit in O.S.No.60 of 2008 before the District Munsif Court, Usilampatti.

3.It is also stated in the affidavit that the second respondent had withdrawn the said suit on 08.10.2013 itself, nearly about eight months thereafter, the petitioner made an application seeking



electricity service connection to the aforesaid property. This request has been rejected.

4.I would straight away interfere with the said order rejecting grant of electricity service connection but rather place an obligation on the first respondent to once again revisit the said order, issue notice to the petitioner, examine the documents, also examine the order relating to withdrawal of the suit by the second respondent and if required, obtained an indemnity bond from the petitioner and any other requirements which are normally required for grant of service connection and proceed to grant service connection, if it is otherwise in order. The said exercise must be completed by the first respondent within a period of eight weeks from the date of receipt of a copy of this order.

5.In view of the fact that the second respondent had withdrawn the said suit, notice is not directed to the second respondent.

6.With the above observations, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

sjj

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 Tamil Nadu Generation and Distribution Corporation Limited,
The Designated Engineer,
AE/O & M/West/Usilampatti,
Usilampatti, Madurai District.

+1cc to Mr.K.PRABHAKARAN,Advocate, SR.No.39556 DATED:20.12.2021

W.P. (MD) No.22376 of 2021

and

W.M.P. (MD) Nos.18935 and 18936 of 2021

17.12.2021

ARK (CO)

GC (03.01.2022) 2P 3C