



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.12.2021

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P. (MD) No.12655 of 2016

WEB COPY

Ko.Arunachalam

... Petitioner

vs.

1.The Superintending Engineer,
(Maintenance and Operation),
Tamil Nadu Power Generation and
Distribution Corporation Limited,
TANGEDCO, No.1, Vallam Road,
Thanjavur.

2.The Executive Engineer,
(Maintenance and Operation),
Tamil Nadu Power Generation and
Distribution Corporation Limited,
TANGEDCO, Pattukottai,
Thanjavur District.

3.The Assistant Executive Engineer,
(Maintenance and Operation),
Tamil Nadu Power Generation and
Distribution Corporation Limited,
TANGEDCO, Madukkur,
Thanjavur District.

4.The Assistant Electrical Engineer,
(Maintenance and Operation),
Tamil Nadu Power Generation and
Distribution Corporation Limited,
TANGEDCO, Thuravankurichi,
Pattukottai Taluk,
Thanjavur District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, direct the respondents herein to provide the free agricultural electricity service connection to the petitioner agricultural lands comprised in S.No.206/8A situated at Mannangadu Village, Pattukottai Taluk, Thanjavur District in pursuance to the petitioner application dated 31.12.1990 and also by considering the petitioner representation dated 02.05.2016 within the time stipulated by this Court.



For Petitioner : Mr.B.Jameel Arasu
For Respondents : M/s.M.Rajeswari
for M/s.SMS.Johnny Basha
Standing Counsel

O R D E R

The writ petition has been filed in the nature of Writ of Mandamus, seeking a free agricultural electricity service connection to the agricultural lands of the petitioner in S.No.206/8A at Mannangadu Village, Pattukottai Taluk, Thanjavur District. The petitioner had given a representation/application on 31.12.1990. A further application was given on 02.05.2016.

2.The petitioner, Ko.Arunachalam S/o. Govinda Velalar, had given an application seeking electricity connection for his agricultural lands in S.No.206/8A, measuring 0.31.50 hectares. The petitioner was entitled for such agricultural connection. The necessity for the writ petitioner arose owing to the fact that the respondents had given an electricity connection, not to the lands of the petitioner but to S.No.21/3, Regunathapuram, Kasangadu. The name of the person in whose name, the said electricity connection was given, was also, Ko.Arunachalam and was also son of Govinda Velalar. Owing to the similarity in the name of the petitioner and the person to whom the actual electricity connection was given and also to the strange co-incidence of their respective father's name, instead of giving connection to the lands of the petitioner, the respondents had given the lands to an other person, who according to the writ petitioner had never even sought electricity connection. But the said person was happy with the free electricity connection being given to his land. Now the petitioner seeks that the electricity connection may be given to his lands.

3.It is the contention of learned counsel for the respondents that the connection was given to the lands at Kasangadu in S.No.21/3 on a representation given by the petitioner. This fact on affidavit, the petitioner denies.

4.In view of the fact that this fact cannot be determined and since the respondents also disclaimed possession of records owing to passage of time, let me not delve more deeply into the controversy but rather let me issue a Mandamus to the respondents to give free agricultural electricity connection to the lands of the petitioner in S.No.206/8A at Mannangadu Village, Pattukottai Taluk, Thanjavur District, if the petitioner satisfies all required procedures and requirements as is required by the respondents herein. Such Mandamus is issued specifically to the second respondent/The Executive Engineer, (Maintenance and Operation), Tamil Nadu Power Generation and Distribution Corporation Limited, TANGEDCO, Pattukottai, Thanjavur District. An obligation is placed on the said second respondent to issue such service connection within a period of four weeks from the date of receipt of a copy of



5. With the above observations, the Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

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

1. The Superintending Engineer,
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