



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.12.2021

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P. (MD) No.22882 of 2021

R.Radhakrishnan

... Petitioner

vs.

1.The Superintending Engineer,
Tamil Nadu Generation and Distribution Corporation Limited,
(TANGEDCO),
Meenakshi Nayakkanpatti North (Post),
Angunagar, Dindigul 624 002.

2.The Assistant Engineer,
Tamil Nadu Generation and Distribution Corporation Limited,
(TANGEDCO),
110Kv SS Complex, Karur Main Road,
Eriodu Post, Vedachantdur Taluk,
Dindigul District-624 702.

... Respondents

[R2 is suo-motu impleaded vide order dated 23.12.2021]

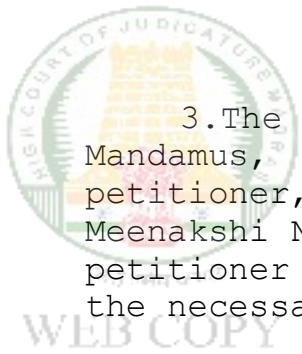
PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondent to effect electricity connection to the petitioner's house that constructed in S.No.517/2A of Angunagar, Meenakshi Nayakkanpatti based on his representation, dated 20.10.2020.

For Petitioner : Mr.I.Velpradeep
For Respondents : M/s.Parameswari
for Mr.SMS.Johnny Basha
Standing Counsel

O R D E R

In view of the nature of the order passed, this Court suo-motu impleads the Assistant Engineer, Tamil Nadu Generation and Distribution Corporation Limited, (TANGEDCO), 110Kv SS Complex, Karur Main Road, Eriodu Post, Vedachandur Taluk, Dindigul District-624 702 as the second respondent in the writ petition. Registry may carry out necessary amendment in the causetitle showing the said second respondent as the second respondent in this petition prior to issuing order copy.

2.Heard Mr.I.Velpradeep, learned counsel for the petitioner and M/s.Parameswari, learned counsel representing Mr.SMS.Johnny Basha, learned Standing Counsel, appears on behalf of both the respondents.



3.The writ petition has been filed in the nature of Writ of Mandamus, seeking electricity connection to the house of the petitioner, which has been constructed in S.No.517/2A of Angunagar, Meenakshi Nayakkanpatti at Vedachandur Taluk, Dindigul District. The petitioner had also given a representation stating that he had paid the necessary charges for grant of electricity connection.

4.It is the contention of the respondents that there is no pathway to the house of the petitioner. It is also seen that there are some objections raised by the neighbouring land owners for grant of electricity connection. By grant of electricity connection, the title of the property is not going to be settled. By grant of electricity connection, by drawing the lines over the pathway, the petitioner cannot, on that basis, claim title over the property. He has to claim title over the property on the basis of title deeds.

5.I would, therefore, leave the issue of title open to be decided, if at all, it is raised. However, an obligation is placed on the respondents to provide the electricity connection, if the petitioner satisfies all other requirements, particularly, with respect to payment of necessary deposit amount. If any protest is given, the petitioner may be called to file an indemnity bond undertaking that the electricity connection is granted subject to the result of any enquiry or any litigation arising out of such protest.

6.With the aforesaid conditions, a direction is given to the respondents to consider the application of the applicant and grant necessary electricity connection, after also issuing notice to the respondents or to any other party. The entire exercise is to be completed within a period of eight weeks from the date of receipt of a copy of this order.

7.With the above observations, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS I)

// 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

1.The Superintending Engineer,
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(TANGEDCO),
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+1 CC to M/s.I.VELPRADEEP, Advocate (SR-40317[F] dated 23/12/2021)

W.P. (MD) No.22882 of 2021
23.12.2021

NSN(CO)
SB(12.01.2022) 4P 4C