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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.03.2022

CORAM

THE HONOURABLE MR. JUSTICE M.GOVINDARAJ

W.P.No.1551 of 2015

P.Jamela

... Petitioner

Vs.

1. The District Collector,
Vellore, Vellore District.

2. The Junior Engineer (Electrical),
Tamil Nadu Generation and Distribution Corporation,
Katukanallur, Arani Circle,
Thiruvannamalai District.

... Respondents

PRAYER: The Writ Petition has been filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the entire records in pursuant to the rejection order issued by the 2nd respondent in K.No.Eni.Po/E&P/Ka.No./Ko-Thni/No.193/14-15 dated 02.01.2015 and quash the same and direct the second respondent to provide the electricity connection to the petitioner residential house situated in Plot No.26, Ponnamman Nagar, Katukanallur Village & Post, Arani Circle, Thiruvannamalai District.

For Petitioner : M/s.M.Sathish Kumar

For Respondents: M/s.L.Jai Venkatesh
Standing Counsel

O R D E R

The present Writ Petition has been filed for the issuance of a Writ of Certiorarified Mandamus, to call for the entire records in pursuant to the rejection order issued by the 2nd respondent in K.No.Eni.Po/E&P/ Ka.No./Ko-Thni/No.193/14-15 dated 02.01.2015 and quash the same and direct the second respondent to provide the electricity connection to the petitioner residential house situated in Plot No.26, Ponnamman Nagar, Katukanallur Village & Post, Arani Circle, Thiruvannamalai District.



2. The petitioner was given an assignment of patta in respect of house site. She has put up a construction in the housing plot allotted to her under the Indhira Memorial Housing Scheme. She has applied for electricity service connection from the respondents. However, it was rejected on the ground that it will be given only after completion of the suit filed against her before the District Munsif Court at Arni. Aggrieved over the same, the petitioner is before this Court.

3. I have the benefit of going through the assignment of land granted in favour of the petitioner to build a house under Indhira Memorial Housing Scheme and the Certificate issued by the Village Administrative Officer to prove her title and possession. While so, filing of a suit by the group of individual to cancel the patta will not in any way affect the title and possession of the petitioner.

4. It is well settled, when possession is proved, electricity service connection shall be given to the applicants as per Regulation 27(2) of the Tamil Nadu Electricity Distribution Code. Therefore, the request for providing electricity service connection to the patta land of the petitioner cannot be denied on the ground that the suit is pending against her. The impugned order passed by the second respondent rejecting the request of the petitioner dated 02.01.2015 is set aside and a direction is given to the second respondent to provide the electricity service connection to the petitioner's house in accordance with law.

The Writ Petition is disposed of with the above direction. There shall be no order as to costs.

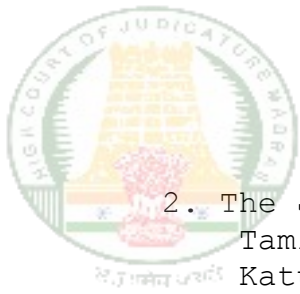
SD/-
ASSISTANT REGISTRAR

// TRUE COPY //

SUB ASSISTANT REGISTRAR

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To

1. The District Collector,
Vellore,
Vellore District.



2. The Junior Engineer (Electrical),
Tamil Nadu Generation and Distribution Corporation,
Katukanallur, Arani Circle,
Thiruvannamalai District.

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+1cc to the Government Pleader Sr.17021

W.P.No.1551 of 2015

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