



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.02.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.NO.10409 OF 2020

AND

W.M.P.NOS.12660 & 12661 OF 2020

Jayanthi

... Petitioner

Vs.

1. The Superintending Engineer,
Tamil Nadu Electricity Generation and Distribution Circle,
Salem, Salem District.
2. The Assistant Engineer,
Construction and Development,
Tamil Nadu Electricity Production and Distribution circle,
Deevattipatti - 636 351
Kadayampatti Taluk,
Salem District.
3. The Tahsildar,
Kadayampatti Taluk,
Salem District.

...Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the records relating to the proceedings in Letter No.2, Sa.Na.Pa/C&D/The.Patti/Co.Electricity connection/ No.034/2020 dated 11.02.2020 passed by the 2nd respondent to provide an agricultural electricity connection for well to the petitioner.

For Petitioner : Mr.M.Elango

For Respondents R1 & R2 : Mr.M.Abulkalam
Standing Counsel

For Respondent R3 : Mr.K.Karthikeyan
Government Advocate



O R D E R

The petitioner has filed this Writ petition challenging the impugned order dated 11.02.2020 passed by the 2nd respondent in Letter No.2, Sa.Na.Pa/ C&D/ The.Patti/ Co.Electricity connection/ No.034/2020, and to consequently direct the 2nd respondent to provide agricultural electricity connection for well to the petitioner.

2. The case of the petitioner is that, he has an agricultural land at Nadupatti Village Kadayampatti Taluk and in the said land, she had dug a well for the purpose of irrigation. Thereafter, the petitioner made an application dated 20.10.2019 before the 2nd respondent seeking agricultural electricity connection to the said well, in order to draw water from it for Agricultural purpose. While so, the 2nd respondent vide its proceedings dated 11.02.2020 in letter No.2, Sa.Na.Pa/ C&D/ The.Patti/ Co.Electricity Connection/ No.034/2020 rejected the petitioner's application as per the report of the 3rd respondent dated 04.02.2020, on the ground that, part of the said well is located in Government Poramboke land. Hence, aggrieved by the said impugned order dated 11.02.2020, the petitioner filed the present writ petition.

3. Heard the learned counsel for the petitioner and the learned counsel appearing on behalf of the respondents.

4. This Court perused the impugned order dated 11.02.2020 passed by the 2nd respondent and on perusal of the said impugned order it reveals that, based on the report of the Tahsildar it is alleged that major part of the disputed well is situated in the Survey No.175/1, which is a Government Poramboke Land, hence the petitioner application dated 20.10.2019 seeking agricultural electricity connection to the said well was rejected. This Court does not find any infirmity in the order passed by the 2nd respondent and, therefore, is not inclined to interfere with the impugned order .

5. Hence, the writ petition is closed with liberty to the petitioner to workout her remedy in the manner known to law. No costs. Consequently, connected Miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

skt



To:

1. The Superintending Engineer,
Tamil Nadu Electricity Generation and Distribution Circle,
Salem, Salem District.
2. The Assistant Engineer,
Construction and Development,
Tamil Nadu Electricity Production and Distribution circle,
Deevattipatti - 636 351
Kadayampatti Taluk,
Salem District.
3. The Tahsildar,
Kadayampatti Taluk,
Salem District.

+1cc to Mr.M.Elango, Advocate, S.R.No.6574
+1cc to Government Pleader, SR.NO.6486

W.P.No.10409 of 2020
and
W.M.P.Nos.12660 & 12661 of 2020

GP (CO)
PM/17/03/2022