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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.04.2022

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THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P.NO.23913 OF 2014

K.Thangaraj
S/o.Late.Karuppan

... Petitioner

.Vs.

1. The District Collector,
Pennagaram Taluk,
Dharmapuri District.
2. The Chairman,
The Tamil Nadu Generation &
Distribution Corporation Ltd.,
No.144 Anna Salai, Teynampettai,
Chennai - 600 002.
3. The Deputy Engineer,
The Tamil Nadu Generation and
Distribution Corporation Ltd.,
Pennagaram Taluk,
Dharmapuri District.
4. The Superintending Engineer,
The Tamil Nadu Generation and
Distribution Corporation Ltd.,
Perumpalai, Pennagaram Taluk,
Dharmapuri District.
5. The Assistant Engineer,
The Tamil Nadu Generation and
Distribution Corporation Ltd.,
Perumpalai, Pennagaram Taluk,
Dharmapuri District.

... Respondents

PRAYER:-

Writ Petition is filed under Article 226 of the Constitution of India, praying to issue a writ of Certiorarified Mandamus, to call for the records from the respondents and quashing the same



in their impugned order dated 04.08.2014 in K.N.U.P/EXP/Permbalai/KO.P/A/228/14 passed by the fifth respondent and directing the respondents to provide the electricity service connection to the petitioner for agricultural purpose.

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For Petitioner : Mr.M.Senthamizh Selvan

For Respondents : Mr.T.Sampath Kumar
Government Advocate
For R1

Mr.L.Jai Venkatesh
Standing Counsel for TNEB
For R2 to R5

ORDER

Heard Mr.M.Senthamizh Selvan, learned counsel appearing for the petitioner, Mr.T.Sampath Kumar, learned Government Advocate for the first respondent and Mr.L.Jai Venkatesh, learned standing counsel for the respondents 3 to 5.

2. The petitioner has come up with this writ petition to set aside the order passed by the fifth respondent in proceedings dated 04.08.2014 in K.N.U.P/EXP/Permbalai/KO.P/A/228/14.

3. The case of the petitioner is that the service connection provided to the grandfather of the petitioner namely Pallikondan in the year 1976, was disconnected without any notice in the year 1983. The application submitted by the petitioner for restoration of the electrical service connection No.15 was rejected by the fifth respondent on the ground that restoration can be sought for within a period of five years.

4. The learned standing counsel appearing for the respondents has stated that Sections 22(6) and 22(7) of The Tamil Nadu Electricity Supply Board stipulates limitation of five years for applying restoration of the service connection, which was disconnected. However, the petitioner has applied for restoration after a lapse of 30 years.

5. In the instant case, there is no dispute that electricity service connection given in the name of the petitioner's grandfather was disconnected in the year 1983, but the petitioner applied for restoration of the service after lapse of limitation prescribed under the relevant provision. Therefore, this Court does not find any infirmity or illegality in the impugned order.



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6. In that view, the writ petition stands dismissed as devoid of merits. No costs.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

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To

1. The District Collector,
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Dharmapuri District.

+1cc to Mr.L.Jai Venkatesh, Advocate, S.R.No.25261
+1cc to the Government Pleader, S.R.No.24912

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VBM(CO)
PBS/05/05/2022