



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.02.2022

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.28275 of 2014

Sornathal

...Petitioner

Vs.

1. The Executive Engineer
(Operation & Maintenance)
Tamil Nadu Generation of Electricity and Distribution
Corporation Ltd (TANGEDCO),
Dharapuram, Tiruppur District.
2. The Assistant Executive Engineer
(Operation & Maintenance)
Tamil Nadu Generation of Electricity and
Distribution Corporation Ltd. (TANGEDCO)
Moolanur-106, Tiruppur Dt.
3. The Assistant Engineer
Tamil Nadu Generation of Electricity and
Distribution Corporation Ltd (TANGEDCO)
Akkaraipalayam Moolanur-106 Tiruppur Dt.
4. Duraisamy
5. Durai Thirunavukkarasu

...Respondents

PRAYER : Writ Petition filed Under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus Calling for the records pertaining to the impugned order dated 19.7.2013 made in Lr.No.AEE/ O & M/ Moola/ file-sep/ No.59/13-14 passed by the 2nd respondent quash the same and consequently direct the respondents 1 to 3 to grant electricity service connection to the petitioner house constructed in S.No.871/C Moolanur Village periya Kattu Thottam Periyannagounden Valasu Dharapuram Tiruppur District without insisting for No Objection or arranging for way leave.

For Petitioner : Mr.N.Manokaran

For Respondents: Mr.L.Jaivenkatesh [R1 to R3]
Mr.V.Ravi [R4]
No Appearance [R5]



O R D E R

The relief sought for in the present writ petition is to call for the records pertaining to the impugned order dated 19.07.2013, quash the same and direct the respondents to provide electricity service connection to the petitioner house.

2. The petitioner submitted an application seeking electricity service connection for domestic purposes. The application was not considered on the ground that the civil disputes between the petitioner and the contesting respondents were pending during the relevant point of time. However, the learned counsel for the petitioner made a submission that the petitioner succeeded in the civil suit being the purchaser of the subject property in the year 1980. He is an absolute owner of the property therefore, the petitioner is entitled to get electricity service connection in his name. All necessary actions were taken for providing electricity service connection in the premises of the petitioner.

3. This being the development brought to the notice of this Court, the petitioner is entitled for the electricity service connection. Even in respect of the objection, if any, raised after reaching finality in the civil dispute, the TANGEDCO authorities are bound to invoke Regulation 29(b) of the Tamil Nadu Electricity Distribution Code and provide electricity service connection as it is an essential service.

4. This being the factum, the order impugned dated 19.07.2013, passed by the 2nd respondent is quashed and the respondents 1, 2 and 3 are directed to provide electricity service connection by complying with formalities under Regulation 29(6) of the Tamil Nadu Electricity Distribution Code, within a period of four weeks from the date of receipt of a copy of this order. Accordingly, the writ petition stands allowed. No costs.

Sd/-

Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

shr/ska



To

1. The Executive Engineer
(Operation & Maintenance)
Tamil Nadu Generation of Electricity and Distribution
Corporation Ltd (TANGEDCO),
Dharapuram, Tiruppur District.
2. The Assistant Executive Engineer
(Operation & Maintenance)
Tamil Nadu Generation of Electricity and
Distribution Corporation Ltd. (TANGEDCO)
Moolanur-106, Tiruppur Dt.
3. The Assistant Engineer
Tamil Nadu Generation of Electricity and
Distribution Corporation Ltd (TANGEDCO)
Akkaraipalayam Moolanur-106 Tiruppur Dt.

+1cc to r.N.Manokaran, Advocate, S.R.No.6208
+1cc to Mr.S.Naganathan, Advocate, S.R.No.6179

W.P.No.28275 of 2014

SV[co]
NSK 16/02/2022