



W.P.Nos.27058 & 27062 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.10.2022

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

Writ Petition Nos.27058 & 27062 of 2022

R.Devaraj

.... Petitioner in both the W.Ps

-Vs-

1.The Chairman cum Managing Director
Tamil Nadu Electricity Board
No.144 Anna Salai 6th Floor Chennai-02.

2.Revenue Divisional Officer
Thiruvannamalai-606 601
Thiruvannamalai District.

3.The Tahsildar
Jamunamarathur, Tiruvannamalai District-635703.

4. The Village Administrative Officer
Palamarathur Jamunamarathur Taluk- 635 703.

5.The Executive Engineer
Tamil Nadu Electricity Board Polur-606 803
Tiruvannamalai District.

6.The Assistant Engineer
Tamil Nadu Electricity Board Jamunamarathur-
635 703 Thiruvannamalai District.

.... Respondents in
WP No.27058/2022



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- 1.The Chairman Cum Managing Director
Tamil Nadu Electricity Board No.144
Anna Salai 6th Floor Chennai-02.
- 2.The Chief Engineer
Tamil Nadu Electricity Board Vengikkal
Tiruvannamalai-606 604.
- 3.The Division Engineer
Tamil Nadu Electricity Board Polur-606 803
Tiruvannamalai District.
- 4.The Assistant Engineer
Tamil Nadu Electricity Board Jamunamarathur-
635 703 Tiruvannamalai District.

.. Respondents in
W.P.No.27062 /2022

Prayer in W.P.No.27058 of 2022: Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the 5th respondent to give electricity connection to the petitioners agricultural land at Survey No.139/4B Chinnakuttai Village Jamunamarathur Taluk Tiruvannamalai District for irrigation purpose from the well situated in the above mentioned agricultural land owned and possessed by the petitioner as per procedure under Rule 27(4) of Tamil Nadu Electricity Distribution Code 2004.

Prayer in W.P.No.27062 of 2022: Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the 4th respondent to give separate electricity connection to the petitioners premises at Andi Nagar Alangayam Road Jamunamarathur Post and Taluk-635 703 Tiruvannamalai District as per procedure under Rule 27(4) of Tamil Nadu Electricity Distribution Code 2004.



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In Both W.Ps.

For Petitioner : Mr.A.Manimaran
For Respondents : Mr.L.Jai Venkatesh
Standing Counsel

COMMON ORDER

Since both the writ petitions are filed by the same petitioner and the issue raised in these writ petitions is one and the same, with the consent of the learned counsel for both sides these writ petitions were heard together and are disposed of by this common order.

2. That the petitioner claims ownership of agricultural land as well as dwelling house at Chinnakuttai Village, Jamunamarathur Taluk, Tiruvannamalai District. In respect of the agricultural land, the petitioner sought for electricity service connection for agricultural purposes for his pump set fitted in his well and in respect of dwelling house, he sought for service connection for domestic purpose.

3. In respect of the said applications, the respondent TANGEDCO issued notice to the petitioner to produce the documents to substantiate the ownership of the petitioner with regard to the agricultural land as well as the dwelling house



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for which service connection is sought for, since there has been an objection.

The property originally stood in the name of the wife of the petitioner and there has been a dispute between the petitioner and his son, who seems to have made a claim that he alone is entitled to inherit the property belongs to his mother and therefore, in this regard it is brought to the notice of this Court by Mr.L.Jai Venkatesh, learned Standing Counsel for TANGEDCO that there is a civil suit pending. Therefore, without substantiating the ownership of the land as well as the dwelling house concerned, the petitioner cannot seek for domestic as well as agricultural service connection. Therefore, if the petitioner comes forward to file necessary documents to substantiate the ownership of the land as well as the dwelling house to the satisfaction of TANGEDCO the respondent might not have any objection to proceed to give service connection as claimed by the petitioner, otherwise the plea seeking for service connection would be rejected, learned Standing Counsel contended.

4. In this context, learned counsel for the petitioner submits that the property belongs only to the petitioner as he either inherited the property or purchased the property and therefore in this regard the petitioner is ready and willing to produce necessary documents to the respondents to substantiate his claim that the petitioner is the absolute owner of the agricultural land as well as dwelling house.



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5. In that view of the matter, this Court is inclined to dispose of these writ petitions with the following order.

- That it is open to the petitioner to produce necessary documents to the respondent TANGEDCO substantiate the claim made by the petitioner that he is the absolute owner of the property viz., the agricultural land as well as dwelling house, for which he seeks service connection.
- On receipt of such documents, if the respondent TANGEDCO is satisfied that the claim made by the petitioner is correct and to be accepted, then it is open to the respondent TANGEDCO to act upon accordingly as per the provisions of the Act as well as the Electricity Code and accordingly the plea raised by the petitioner ie., his applications to get service connection for the agricultural land as well as dwelling house can be disposed of.
- The needful as indicated above shall be undertaken by the respondent TANGEDCO within eight weeks from the receipt of a copy of this order.

6. With the above directions, these writ petitions are disposed of. No costs.

11.10.2022

Index : Yes/No

Internet : Yes/No



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R. SURESH KUMAR, J.

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