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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.03.2022

CORAM

THE HONOURABLE Mr.JUSTICE V.BHARATHIDASAN

W.P.No.1870 of 2017
and
WMP Nos.1868 & 1869 of 2017

K. Ramakrishnan

... Petitioner

Vs.

1. The Chairman,
Tamil Nadu Electricity Board,
Tamil Nadu Generation and Electricity
Distribution Corporation Ltd.,
Anna Salai,
Chennai 600 002.

2. The Assistant Engineer, (O & M),
Tamil Nadu Generation and Electricity
Distribution Corporation Ltd.,
Tamil Nadu Electricity Board,
Thirukoilur,
Villupuram District.

3. The Tahsildar,
Thirukovilur Taluk,
Thirukovilur,
Villupuram District.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Certiorarified Mandamus to call for the records relating to the impugned letter passed by the 2nd respondent in his letter No.AEE/Na/T.V.Nallur/Ko.D.V./A.No.116/15-16, dated 12.10.2015 and quash the same and consequently directing the 2nd respondent to give electricity service connection to the petitioner's hut situated at Natham Promboke land comprised in S.No.687/4, Thiruvannainallur Village, Thirukoviur Taluk, Villupuram District to the extent of 00.10 ares of land.



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For Petitioner : Mr. L. Karthiga
For Respondents : Mr. Abulkalam,
Standing Counsel,
for R1 & R2.

: Mr.V.Jeevagiridharan
Standing Counsel
for R3

O R D E R

This writ petition has been filed challenging the order passed by the 2nd respondent directing the petitioner to obtain a No Object Certificate from the Tahsildar for getting an electricity service connection to the petitioner's house.

2. According to the petitioner, the petitioner is residing in a Natham Promboke land in S.No.687/4, Thiruvennainallur Village, Thirukovilur Taluk, Villupuram District. Earlier, he has filed an application seeking for electricity service connection before the 2nd respondent. The 2nd respondent vide letter dated 12.10.2015, returned the application with a direction to the petitioner to get a No Objection Certificate from the Tahsildar and also produce the property tax receipt for the year 2015-2016. Now, challenging the said letter, the present writ petition has been filed.

3. Heard both sides and perused the materials available on records carefully.

4. Admittedly, the petitioner is in possession of the Natham Promboke land and he is also paying the property tax to the concerned Town Panchayath. As per Regulation 27 (12) of the Tamil Nadu Electricity Distribution Code 2004, for getting an electricity service connection to the building constructed in the Poramboke land, the consumer should necessarily get No Objection Certificate from the Tahsildar. However, the petitioner, without obtaining any such No Objection Certificate, filed an application and it has been rightly returned by the 2nd respondent.

5. Now, the learned counsel appearing for the petitioner submitted that even though the petitioner has approached the 3rd respondent/Tahsildar as early as on 28.10.2015 itself, so far no order has been passed by the Tahsildar and he has also produced the copy of the representation submitted by the petitioner in the typed set of papers.

6. Considering the above circumstances, the petitioner is



directed to file a fresh representation before the 3rd respondent/Tahsildar seeking for No Objection Certificate. On filing such representation, the 3rd respondent is directed to consider the same and pass suitable orders with regard to granting No Objection Certificate, on merits. Thereafter, the petitioner is directed to approach the 2nd respondent seeking for electricity service connection along with the No Objection Certificate and the House Tax receipt as required by the 2nd respondent.

7. With the above directions, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

mrp

To

1. The Chairman,
Tamil Nadu Electricity Board,
Tamil Nadu Generation and Electricity
Distribution Corporation Ltd.,
Anna Salai, Chennai 600 002.
2. The Assistant Engineer, (O & M),
Tamil Nadu Generation and Electricity
Distribution Corporation Ltd.,
Tamil Nadu Electricity Board,
Thirukoilur, Villupuram District.
3. The Tahsildar,
Thirukovilur Taluk,
Thirukovilur,
Villupuram District.

+1cc to Mr.Jaivenkatesh.L, Advocate, S.R.No.21984

+1cc to M/s.L.Karthiga, Advocate, S.R.No.21943

+1cc to Government Pleader, Sr.No. 21772 (21/06/2022)

W.P.No.1870 of 2017

SKM(CO)

GN(24/05/2022)