



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **15.02.2022**

CORAM:

THE HONOURABLE **MR.JUSTICE ABDUL QUDDHOSE**

W.P.[MD]No.2963 of 2022

G.Nagajothi

... Petitioner

/Vs./

The Assistant Engineer (Town/South),
TANGEDCO,
Paramakudi Taluk,
Ramanathapuram District.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the Respondent to provide the Electricity connection to the Petitioner's thatched house bearing Door No.11/332 situated in Erattai Pillaiyar Kovil Street, Paramakudi Taluk, Ramanathapuram District, without insisting revenue records by receiving indemnity bond from the Petitioner on the basis of the Petitioner's representation dated 07.01.2022.

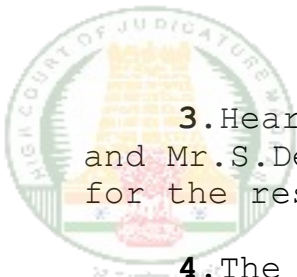
For Petitioner : Mr.R.Shankar Ganesh

For Respondent : Mr.S.Deenadhayalan
Standing Counsel

ORDER

This writ petition has been filed for a Mandamus, seeking for a direction to the respondent to provide Electricity service connection to the petitioner's thatched house bearing Door No.11/332 situated in Erattai Pillaiyar Kovil Street, Paramakudi Taluk, Ramanathapuram District, without insisting for revenue records by receiving indemnity bond from the petitioner on the basis of the petitioner's representation dated 07.01.2022 and pass orders within the timeframe to be fixed by this Court.

2.The case of the petitioner is that she is in possession of the aforementioned property for several years. She has applied for Electricity service connection and has given a representation on 07.01.2022. According to the petitioner, till date, her application has not been considered. In such circumstances, she has filed this writ petition.



3.Heard Mr.R.Shankar Ganesh, learned counsel for the petitioner and Mr.S.Deenadhayalan, learned Standing Counsel, who accepts notice for the respondent.

4.The learned counsel for the petitioner submits that though the neighbouring persons, who are in possession of other properties have been granted Electricity service connection without revenue records, the petitioner has been discriminated by the respondent. He has also submitted that she does not have any revenue records, though she is in possession of the property for several years.

5.Admittedly, the application seeking for Electricity service connection submitted by the petitioner has not been considered by the respondent till date. The petitioner has also given a representation on 07.01.2022 reminding the respondent for grant of service connection.

6.The learned Standing Counsel for the respondent, on instructions, would submit that the petitioner has submitted the application only through offline and not through online, which is the standing procedure.

7.The learned counsel for the petitioner submits that the petitioner is willing to submit the application through online, but at the same time, submits that the respondent will have to grant Electricity service connection without insisting upon production of any revenue records standing in the name of the petitioner.

8.Whether the petitioner is entitled for Electricity service connection or not is for the respondent to consider on merits and in accordance with law. After recording the submissions made by the learned counsel for the petitioner that the petitioner is willing to submit the application seeking for Electricity service connection through online, this Court directs the petitioner to re-submit the application seeking for Electricity service connection for her thatched house bearing Door No.11/332 situated in Erattai Pillaiyar Kovil Street, Paramakudi Taluk, Ramanathapuram District, through online, within a period of one (1) week from the date of receipt of a copy of this order.

9.On receipt of the said application, the respondent shall consider the petitioner's application seeking for grant of Electricity service connection for the aforementioned property, on merits and in accordance with law and shall also consider the case of the petitioner for non-submission of revenue records, if she so deserves, as according to the petitioner, neighbouring land owners were granted Electricity service connection, without submission of revenue records and pass final orders, within a period of twelve (12) weeks from the date of receipt of the application submitted by the petitioner.



10. With the aforesaid direction, this Writ Petition is disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar (AD-I)

WEB COPY

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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NOTE: *In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.*

To

The Assistant Engineer (Town/South),
TANGEDCO,
Paramakudi Taluk,
Ramanathapuram District.

+1 CC to M/s.S.DEENADHAYALAN, Advocate (SR-6734[F] dated 17/02/2022)

+1 CC to M/s.R.SHANKAR GANESH, Advocate (SR-6931[F] dated 17/02/2022)

W.P. [MD]No.2963 of 2022

Dated:

15.02.2022

RK(04/03/2022) 3P 4C