



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.03.2022

CORAM

THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

W.P. (MD) .No.4187 of 2022

K.Gunasekaran

... Petitioner

Vs.

1.The District Collector,
Karur District,
Karur - 639 007.

2.The Assistant Engineer,
Operation and Maintenance,
Tamil Nadu Generation and Distribution
Corporation Limited,
Thaanthondrimalai,
Karur District - 639 007.

3.The Assistant Executive Engineer,
Operation and Maintenance,
Tamil Nadu Generation and Distribution
Corporation Limited,
Rayanoor
Karur District - 639 003.

4.Kavitha

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the second respondent to include the petitioner's name in the free agricultural electricity connection no.9 in New Survey No.110/2 at Achimangalam Village, Karur Taluk, Karur District by considering the petitioner's representation dated 24.12.2021.

For Petitioner	:	Mr.S.Vikram
For R-1	:	Mr.B.Saravanan Additional Government Pleader.
For R-2 and R-3	:	Mr.S.Deenadhayalan, Standing Counsel.

ORDER

This Writ Petition has been filed for a Mandamus seeking for a direction to the second respondent to include the petitioner's name in the free agricultural electricity connection No.9 granted in respect of New Survey No.110/2 at Achimangalam Village, Karur Taluk,



Karur District, based on the petitioner's representation dated 24.12.2021, within a time frame to be fixed by this Court.

2. According to the petitioner, he and the fourth respondent and others are joint pattadhars for the aforementioned property. The petitioner claims right by virtue of a settlement deed dated 16.04.2018. According to the petitioner, he and the fourth respondent and other land owners are using the common well and therefore, free electricity service connection is required for the petitioner also. According to the petitioner, presently, the electricity service connection stands in the name of the fourth respondent alone. He seeks inclusion of his name in the electricity service connection by virtue of the aforementioned settlement deed. He has given a representation on 24.12.2021 to the first and second respondents seeking to include his name in the electricity service connection No.9, which is presently standing in the name of the fourth respondent. Since the said representation has not been considered till date, he has filed this Writ Petition.

3. Heard Mr.S.Vikram, learned counsel for the petitioner, Mr.B.Saravanan, learned Additional Government Pleader, who accepts notice for the first respondent and Mr.S.Deenadhayalan, learned Standing Counsel, who accepts notice for the second and third respondents.

4. On instructions, Mr.S.Deenadhayalan, learned Standing Counsel would submit that originally, the electricity service connection for the subject property was granted in the year 1982 and thereafter, in the year 2011, the same has been transferred in the name of the fourth respondent. He would also submit that the petitioner claims ownership of his property only by virtue of a settlement deed executed in the year 2018. The said statement is recorded.

5. No prejudice would be caused to the respondents, if the petitioner's representation dated 24.12.2021, seeking for inclusion of his name in the free agricultural electricity service connection, is considered on merits and in accordance with law by the third respondent.

6. Accordingly, this Court directs the third respondent to consider the petitioner's representation dated 24.12.2021, requesting the third respondent to include his name in the free agricultural electricity service connection No.9 for New Survey No.110/2 at Achimangalam Village, Karur Taluk, Karur District and pass final orders on merits and in accordance with law, after affording a fair hearing to the petitioner and the fourth respondent and other necessary parties, whom the third respondent deems fit to enquire, within a period of twelve (12) weeks from the date of receipt of a copy of this order.



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

Sd/-

Assistant Registrar (AS)

// True Copy //

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/ /2022

Sub Assistant Registrar(CS)

Lm

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

- 1.The District Collector,
Karur District,
Karur - 639 007.
- 2.The Assistant Engineer,
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Tamil Nadu Generation and Distribution
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Karur District - 639 007.
- 3.The Assistant Executive Engineer,
Operation and Maintenance,
Tamil Nadu Generation and Distribution
Corporation Limited,
Rayanoor
Karur District - 639 003.

+1 CC to M/s.SPL GP (SR-11208[F] dated 10/03/2022)

+1 CC to M/s.S.DEENADHAYALAN, Advocate (SR-11348[F] dated 10/03/2022)

+1 CC to M/s.S.VIKRAM, Advocate (SR-10851[F] dated 09/03/2022)

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