



W.P(MD)No.5187 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 07.07.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.5187 of 2021

and

W.M.P.(MD)Nos.4159, 4160 and 4163 of 2021

R.Muthammal

... Petitioner

Vs.

1.The Chief Engineer,
Distribution TANGEDCO (TNEB),
Race Course Road,
K.Pudur, Madurai – 07.

2.The Designated Engineer/
The Assistant Engineer,
AE/ O & M / Distribution,
TANGEDCO (TNEB),
Kadachanendal,
Madurai – 107.

3.The Tahsildar,
Madurai North Taluk,
Madurai District.

4.V.Duraiarasan

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for records pertaining to the impugned online order passed / uploaded by the



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2nd respondent in his official website, vide his proceeding No.NIL dated 12.02.2021 and quash the same as illegal and consequently direct the 2nd respondent to provide domestic electricity connection to the 1st floor of the petitioner's house situated in Survey No.75/2D, Annai Meenakshi Nagar, Aalathur, Thirumalpuram Post, Madurai North, Madurai District as per the Tamil Nadu Electricity Distribution Code, 2004 within the time stipulated by this Court.

For Petitioner : Mr.M.Sridharan

For Respondents : Mr.S.Deenadhayalan,
Standing Counsel for R1 & R2
Mr.N.Ramesh Arumugam,
Govt. Advocate for R3
Mr.G.Mutharasan for R4

ORDER

Heard the learned counsel on either side.

2.The petitioner had put up first floor on her existing building. She wanted electricity service connection for the newly put up construction. Objection was raised by the fourth respondent because according to the fourth respondent, instead of drawing an additional line from the existing pole, new line was sought to be drawn and it is also alleged that the trees belonging to the fourth respondent were cut. There is also a pathway dispute between the petitioner and the fourth respondent. There is a civil dispute pending. Citing



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the pendency of the civil dispute, the TANGEDCO authorities put the petitioner's application on hold. Communication was issued to that effect.

That is challenged in this writ petition.

3. When the matter was taken up for hearing, the learned counsel for the petitioner submitted that since she is already enjoying connection for her ground floor portion, she will be satisfied if connection is given to the first floor from the existing pole. She would not insist that a separate line should be drawn. The learned standing counsel for TANGEDCO states that this should not pose any technical difficulty.

4. Recording the submission of the learned standing counsel for TANGEDCO that the electricity service connection for the petitioner's first floor would be drawn from the existing pole, the writ petition is disposed of. I make it clear that the trees belonging to the fourth respondent will not be cut in the process. No costs. Consequently, connected miscellaneous petitions are closed.

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Index : Yes / No
Internet : Yes/ No
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G.R.SWAMINATHAN, J.

ias

To:

The Tahsildar,
Madurai North Taluk,
Madurai District.

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