



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.03.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. [MD]No.5198 of 2022

Muthusamy

... Petitioner

Vs.

The Executive Engineer,
(Operation & Maintenance),
Tamil Nadu Generation and Distribution Corporation Ltd.,
Kottaipatti,
Srivilliputhur Taluk,
Virudhunagar District.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondent to effect free electricity connection to the petitioner's well situated in the agricultural land comprised in Survey No.699/12B at S.Kodikulam Village, Watrap Taluk, Virudhunagar District based on the communication of the respondent dated 20.12.2021 addressed to the petitioner.

For Petitioner : Mr.A.Balaji
For Respondent : Mr.S.Deenadhayalan
Standing Counsel

O R D E R

This writ petition has been filed for a Mandamus seeking for a direction to the respondent to effect free electricity connection to the petitioner's well situated in the agricultural land comprised in Survey No.699/12B at S.Kodikulam Village, Watrap Taluk, Virudhunagar District based on the communication of the respondent dated 20.12.2021 addressed to the petitioner.

2.It is the case of the petitioner that he had applied for free electricity service connection for his well situated at the aforementioned address and he has received a communication dated 20.12.2021 from the respondent calling upon him to comply with the formalities mentioned therein for the purpose of enabling him to get free service connection. The petitioner submits that thereafter, he has given a representation on 24.02.2022 intimating the respondent that he is prepared to furnish a letter of indemnity as required by the respondent under the proceedings dated 20.12.2021. However, it is his contention that till date, his representation has not been considered and no final orders have been passed. In such circumstances, the petitioner has filed this writ petition.



3. Heard Mr.A.Balaji, learned Counsel appearing for the writ petitioner and Mr.S.Deenadhayalan, learned Standing Counsel who accepts notice on behalf of the respondent.

4. Learned Counsel for the petitioner drew the attention of this Court to the proceedings dated 20.12.2021 issued in favour of the petitioner and in particular drew the attention of this Court to the condition, wherein the petitioner was permitted to submit a letter of indemnity in lieu of consent letters from other co-sharers. He would also submit that major portion of the agricultural lands is being utilised by the petitioner and therefore, the letter of indemnity submitted by the petitioner will have to be accepted by the respondent. It is for the respondent to consider the request of the petitioner in the light of the proceedings dated 20.12.2021.

5. No prejudice would be caused to the respondent if the petitioner's representation is considered on merits and in accordance with law after affording a fair hearing to the petitioner.

6. After recording the submissions made by the respective Counsels, this Court directs the respondent to pass final orders on the petitioner's representation dated 24.02.2022 referred to supra within twelve [12] weeks from the date of receipt of a copy of this order after affording a fair hearing to the petitioner including granting him the right of personal hearing and also after hearing all the necessary parties whom the respondent deems fit to enquire.

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

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

MR

To

The Executive Engineer,
(Operation & Maintenance),
Tamil Nadu Generation and Distribution Corporation Ltd.,
Kottaipatti,
Srivilliputhur Taluk,
Virudhunagar District.



+1 CC to M/s.S.DEENADHAYALAN, Advocate (SR-14725[F] dated
25/03/2022)

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NSN(CO)

KB(05.04.2022) 3P 3C

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