



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. [MD]No.6220 of 2022

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P.Rasu

... Petitioner

Vs.

1.The Executive Engineer,
Generation and Maintenance,
TANGEDCO, Madurai East,
K.Pudur, Madurai.

2.The Assistant Engineer,
Thirumangalam East,
TANGEDCO, Thirumangalam,
Madurai District.

3.K.Vellai

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the first and second respondents to provide Electricity Connection to the petitioner's agricultural land in Survey No.13/8 situated at the Eliyarpatti Village, Thirupparankundram Taluk, Madurai District based on his application dated 23.11.2021.

For Petitioner : Mr.G.Kasinathadurai
For Respondents 1&2 : 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 first and second respondents to provide electricity service connection to the petitioner's agricultural land in Survey No.13/8 situated at Eliyarpatti Village, Thirupparankundram Taluk, Madurai District, based on the petitioner's application dated 23.11.2021, within a time frame to be fixed by this Court.

2.According to the petitioner, he is the absolute owner of the aforementioned property. The petitioner has applied for electricity service connection in his name with the first and second respondents on 23.11.2021 for his property. Since the said application has not been considered till date, the petitioner has filed this writ



petition.

3. Heard Mr.G.Kasinathadurai, learned Counsel appearing for the writ petitioner and Mr.S.Deenadhayalan, learned Standing Counsel, who accepts notice on behalf of the respondents 1 and 2.

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4. On instructions, learned Standing Counsel appearing for the respondents 1 and 2 would submit that the third respondent has already filed a writ petition in W.P.[MD]No.288 of 2022, pertaining to the very same property.

5. However, learned Counsel for the petitioner would submit that the third respondent opposes grant of electricity service connection in respect of another property which is an ancestral property whereas the subject property involved in this writ petition is a self acquired property. It is for the official respondents to hold an enquiry and thereafter decide whether the petitioner is entitled for electricity service connection as sought for in this writ petition or not.

6. No prejudice would be caused to the official respondents if the petitioner's application dated 23.11.2021 is considered on merits and in accordance with law after affording a fair hearing to the petitioner as well as the third respondent.

7. Accordingly, this Court directs the second respondent to consider the petitioner's application dated 23.11.2021 seeking for electricity service connection in respect of the agricultural land in Survey No.13/8 situated at Eliyarpatti Village, Thirupparankundram Taluk, Madurai District and pass final orders on merits and in accordance with law after affording a fair hearing to the petitioner and the third respondent including granting them the right of personal hearing within a period of eight [8] weeks from the date or receipt of a copy of this order.

8. With the above direction, this Writ Petition stands disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar (T AND P)

// True Copy //

06/04/2022

Sub Assistant Registrar (CS II)



To

1.The Executive Engineer,
Generation and Maintenance,
TANGEDCO, Madurai East,
K.Pudur, Madurai.

2.The Assistant Engineer,
Thirumangalam East,
TANGEDCO, Thirumangalam,
Madurai District.

+1 CC to Mr.G.KASINATHADURAI., Advocate SR.No. 16509

TR

06/04/2022

3P/3C

ORDER MADE IN W.P.[MD]No.6220 of 2022
05.04.2022