



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **26.04.2022**

CORAM:

THE HONOURABLE **MR.JUSTICE ABDUL QUDDHOSE**

W.P.[MD]No.8028 of 2022

Rajkumar

... Petitioner

/Vs./

1.The Assistant Executive Engineer,
TANGEDCO, Pattukkottai Town-II,
Pattukkottai, Thanjavur District.

2.The Assistant Engineer,
(Operation and Maintenance),
TANGEDCO, Pattukkottai,
Thanjavur District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to provide New Electricity Service Connection to the petitioner's property in S.F.No.210/3, 210/5, named as Aishwarya Towers, 37-H, Aranthangi Road, Pattukkottai, Thanjavur District, for ground floor and first floor as per plan approval, on the basis of the petitioner's representation dated 13.04.2022.

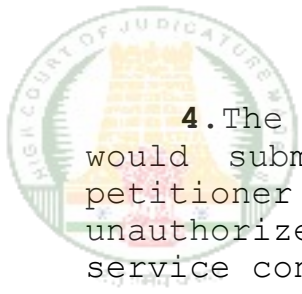
For Petitioner : Mr.P.M.Vishnuvarthan
For Respondents : Mr.S.Deenadhayalan,
Standing Counsel.

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the respondents to provide new Electricity Service Connection to the petitioner's property in S.F.No.210/3, 210/5, named as Aishwarya Towers, 37-H, Aranthangi Road, Pattukkottai, Thanjavur District, for ground floor and first floor as per building plan approval, on the basis of the petitioner's representation dated 13.04.2022, within a time frame to be fixed by this Court.

2.The petitioner claims that he is the owner of the aforementioned property and states that in the aforementioned property, he has constructed a new building comprising of ground and first floor and has got building plan approval for the same. According to the petitioner, he has applied for new electricity service connection for his building of ground and first floor on 24.03.2021. Thereafter, he has also given representation on 13.04.2022. Since the application and the subsequent representation have not been considered till date, he has filed this writ petition.

3.Heard Mr.P.M.Vishnuvarthan, learned Counsel for the writ petitioner and Mr.S.Deenadhayalan, learned Standing Counsel, who accepts notice on behalf of the respondents.



4.The learned Standing Counsel appearing for the respondents would submit that apart from the ground and first floor, the petitioner has also put up the second floor and since it is an unauthorized construction, the respondents cannot grant electricity service connection for the second floor.

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5.However, the learned counsel appearing for the petitioner would submit that the petitioner sought for new electricity service connection only for the ground and first floor, which is an approved building. He would further submit that the petitioner is prepared to give an undertaking letter to the respondents that he will not seek electricity service connection for the second floor, till the second floor gets approved by the planning authorities. The said statement is recorded.

6.No prejudice would be caused to the respondents, if the petitioner's representation dated 13.04.2022 seeking for new electricity service connection for the ground and first floor, for which, the building plan approval has already been obtained by the petitioner is considered on merits and in accordance with law, after affording a fair hearing to the petitioner including granting him the right of personal hearing, within a time frame to be fixed by this Court.

7.For the foregoing reasons, this Court directs the first respondent to consider the petitioner's application and the subsequent representation dated 13.04.2022 seeking for new electricity service connection for the property in S.F.No.210/3, 210/5, named as Aishwarya Towers, 37-H, Aranthangi Road, Pattukkottai, Thanjavur District, for ground floor and first floor as per the building plan approval and pass final orders on merits and in accordance with law, after affording a fair hearing to the petitioner including granting him the right of personal hearing, within a period of four (4) weeks from the date of receipt of a copy of this order. The petitioner shall submit an undertaking letter to the respondents that he shall not seek electricity service connection for the second floor before obtaining building plan approval for the same.

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

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)



1.The Assistant Executive Engineer,
TANGEDCO, Pattukkottai Town-II,
Pattukkottai, Thanjavur District.

2.The Assistant Engineer,
(Operation and Maintenance),
TANGEDCO, Pattukkottai,
Thanjavur District.

+1 CC to M/s.P.M. VISHNU VARTHANAN, Advocate (SR-21386[F]
dated 26/04/2022)

+1 CC to M/s.S. DEENADHAYALAN, Advocate (SR-21562[F]
dated 27/04/2022)

order made in
W.P. [MD]No.8028 of 2022
Dated:
26.04.2022

SJ(CO)
GC(16.05.2022) 3P 5C