



W.P(MD)No.11525 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.08.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.11525 of 2022

and

W.M.P.(MD)No.8166 of 2022

M.Indra

... Petitioner

Vs.

- 1.The Superintending Engineer,
Operation and Maintenance (O & M)
Tamil Nadu Generation and Distribution Corporation Ltd.,
Maruthupandiyar Nagar,
Sivagangai.
- 2.The Executive Engineer,
Operation and Maintenance (O& M)
Tamil Nadu Generation and Distribution Corporation Ltd.,
Manamadurai,
Sivagangai District.
- 3.The Assistant Executive Engineer,
Operation and Maintenance (O&M)
Tamil Nadu Generation and Distribution Corporation Ltd.,
Manamadurai,
Sivagangai District.
- 4.The Assistant Engineer,
Operation and Maintenance (O&M)
Tamil Nadu Generation and Distribution Corporation Ltd.,
Thiruppachathi,



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Sivagangai District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the 3rd respondent to implement the order passed by the second respondent in his proceedings Letter No.Se.Po/E & Pe/Mana/Tho.Nu.U/Go.Viva/A.No: /22 dated 13.01.2022 and further direct the respondents 2 & 3 to made the entry on the District Gazette and give the free agricultural service connection in petitioner's name with regard to property in Survey No:248/4B, situated at Melasorikulam Group, Muthavanthidal Village, Thiruppuvanam Taluk, Sivagangai District.

For Petitioner : Mr.S.Mariselvam

For Respondents : Mr.S.Deenadhaylan
Standing Counsel

ORDER

Heard the learned counsel on either side.

2. The petitioner's husband Thiru.Muthupandi owned the agricultural land comprised in Survey No.266/13 in Muthuvanthidal village. He applied for free electricity service connection. Muthupandi has since passed away. His wife namely Indra has filed the writ petition for implementing the order said to have been passed by the Executive Engineer, Tamil Nadu Generation and Distribution Corporation Ltd, Manamadurai. A copy of the same has been enclosed at Page No.33 of the typed set of papers. It indicates that even though



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in the application for free service connection Survey No.266/13 has been mentioned, permission for change of land had been granted and Survey No. 248/4B in the name of Indra had been entered. This proceeding is sought to be implemented in the writ petition.

3. When the matter was taken up for hearing, the learned standing counsel submitted that when Muthupandi alienated the land comprised in Survey No.266/13 on 18.04.2011, he had specifically mentioned in the sale deed that as and when free service connection is given, it can be changed in the name of the purchaser without any reference to him or permission. When the sale deed executed by the writ petitioner's husband is so clear and categorical, it is not possible to substitute the particulars in the original application.

4. The learned standing counsel would further state that free service connection had already been granted for the original survey number in favour of the said purchasers. The purchasers under the sale deed dated 18.04.2011 has also not been impleaded in the writ petition. It is not possible to grant any relief in view of the recital found in the sale deed executed by the writ petitioner's husband.



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G.R.SWAMINATHAN, J.

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5. The writ petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

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Index : Yes / No
Internet : Yes/ No
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