



W.P.(MD).No.7808 of 2016

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.07.2022

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THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD).No.7808 of 2016

M.Kalander Mydeen

... Petitioner

Vs.

1.The Superintending Engineer,
Pudukottai Electricity Distribution Circle,
Tamil Nadu Generation of Electricity and
Distribution Corporation,
Pudukottai.

2.The Executive Engineer,
Distribution and Maintenance,
TANGEDCO,
Aranthangi,
Pudukottai District.

... 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 the records on the file of the first respondent pertaining to its க.எண்.மே.பா.பொ./புமிபவ/புதுகை/உ.செ.பொ./பொது/கோ.த.அ.உ.ச/அ.எண். A.03/16 dated 17.3.2016 and to quash the same and consequently direct the respondents to provide agricultural electricity connection to the petitioner's property comprised in Survey No.250-1B at Rajendrapuram Village, Aranthangi Taluk, Pudukottai District forthwith.



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For Petitioner : Mr.N.Balakrishnan
For Respondents : Mr.S.Deena Dhayalan
Standing Counsel

ORDER

The present writ petition has been filed challenging an order passed by the first respondent herein, under which the request of the petitioner for grant of service connection has been rejected. The impugned order has been passed on the ground that the petitioner has not expressed his readiness in October/November 2010. Though he reached the seniority, the service connection was not given.

2. According to the learned counsel for the petitioner, the petitioner had applied for free service connection for agricultural purposes on 10.04.1995 and they have also made a deposit for a sum of Rs.500/-(Rupees Five Hundred only) on 26.04.1995. The respondents also demanded Rs.1,11,110/-(Rupees One Lakh Eleven Thousand One Hundred and Ten only) by way of a notice, dated 07.12.1996 to provide electricity under special category. The said amount could not be paid by the writ petitioner. Hence, the petitioner had requested the respondents to treat his application under the ordinary category and he will wait for the seniority.



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3. Though more than 20 years have elapsed, the respondents have not given free service connection. Hence, the writ petitioner has approached the respondent authorities. The first respondent has passed the impugned order stating that a communication was sent to the writ petitioner in October 2010 calling for his readiness to accept the electricity service connection. However, there was no response from the side of the writ petitioner. Hence, the service connection was not provided to the writ petitioner.

4. The learned counsel for the petitioner has contended that no such letter was addressed by the respondents to the writ petitioner.

5. The learned counsel for the respondents was directed to produce the letter that was addressed to the writ petitioner calling for his readiness along with an acknowledgement card. The learned counsel for the respondents submits that no such letter or the acknowledgment card is traceable in the office of the respondents.

6. In view of the above said facts, it is clear that no such notice was ever issued to the petitioner calling for his readiness to accept the free service connection. In view of the above said facts, the respondents



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are directed to provide free electricity service connection as prayed for in the writ petition. The impugned order is set aside. The respondents are directed to provide free agricultural service connection to the writ petitioner within a period of four (4) weeks from the date of receipt of a copy of this order.

7. Accordingly, this Writ Petition stands allowed. No costs.

20.07.2022

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Index : Yes / No
Internet : Yes / No

To

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R.VIJAYAKUMAR ,J.

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