



W.P.(MD)No.25225 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 22.11.2022

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THE HONOURABLE Mrs. JUSTICE V.BHAVANI SUBBAROYAN

Writ Petition (MD) No.25225 of 2022

Amutha, W/o.Poosai

.. Petitioner

Versus

1.The Assistant Executive Engineer,
Operation and Maintenance,
Tamil Nadu General and Distribution
Corporation Ltd.,
TANGEDCO,
Mathur Post,
Kulahur Taluk,
Pudukottai District.

2.The Tahsildar,
Kulathur,
Pudukottai District.

.. Respondents

Prayer:-Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the first respondent to give electricity service connection to the petitioner's house, situated at Door No. 882, comprised in S.F.No.409/4, Mathur Village, Kulathur Taluk, Pudukkottai District.

For Petitioner : Mr.S.Sathya Chidambaram

For 1st Respondent : Mr.S.Deenadhayalan
Standing Counsel

For 2nd Respondent : Mr.C.Satheesh
Government Advocate



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ORDER

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2. According to the learned counsel for the petitioner, the petitioner is residing in the property in question for the past several years. The said property has been classified as "Grazing Grounds" in the revenue records. She applied for electricity service connection for her house along with house tax receipt and the necessary indemnity bond. However, the first respondent refused to receive the application. The petitioner's neighbours obtained electricity service connection as per the order of this Court. Hence, the learned counsel seeks indulgence of this Court.

3. The learned Standing Counsel appearing for the first respondent submitted that the petitioner has not submitted the application before the TANGEDCO along with necessary 'no objection certificate' from the concerned Tahsildar and the house tax receipt and without getting a 'no objection certificate' from the Tahsildar, the electricity service connection cannot be granted to the petitioner.



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4. The learned Government Advocate appearing for the second respondent submitted that the petitioner is not entitled to electricity service connection for Grazing Grounds and prayed for dismissal of the Writ Petition.

5. Heard the learned counsel appearing for the petitioner; the learned Standing Counsel appearing for the first respondent; and the learned Government Advocate appearing for the second respondent and perused the material available on record.

6. On going through the material available on record, it is seen that a Peace Committee Meeting was held on 28.08.2012 and the Tahsildar has already given no objection for some of the parties. It is alleged that the petitioner's lands has been classified as 'Grazing Grounds' and the petitioner submits that though she is ready to give an indemnity bond, the second respondent/Tahsildar did not give no objection certificate till date. Hence, the petitioner seeks a direction to the second respondent/Tahsildar to give no objection certificate to enable her to get electricity service connection.

7. As per Revenue Standing Orders 15(5), Grazing ground Porambokes shall not be assigned unless there is sufficient grazing ground (other than Panchayat and Reserve Forests) available to serve the needs of cattle, without



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specific orders from the Government. Further, the Tank-bed lands should on no account be assigned without consulting the appropriate technical officer, including the Chief Engineer and without specific orders from the Government. Therefore, the revenue authorities may not be in a position to proceed further and only on the basis of no objection certificate, the electricity officials can give electricity service connection. Hence, this Writ Petition is dismissed. No costs.

Index : Yes/No
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To

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2.The Tahsildar,
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V.BHAVANI SUBBAROYAN, J.

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