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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.02.2023

CORAM

THE HON'BLE Mr. JUSTICE **C.V.KARTHIKEYAN**

W.P.No.2245 of 2023

and

W.M.P.Nos.2325 & 2326 of 2023

N.Senthil

.. Petitioner

Vs.

1.The Assistant Engineer,
(Electricity)
Execution and Maintenance,
E.B.Office, Anguchettipalayam Post,
Panruti Taluk,
Cuddalore District.

2.The Executive Engineer,
Executive and Maintenance,
Electricity Board,
Panruti Post and Taluk,
Cuddalore District.

3.The Tashildar,
Taluk Office,
Panruti Post and Taluk,
Cuddalore District.

... Respondents



Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, calling for the records from the file of the 1st respondent in connection with the impugned order dated 09.12.2022 in க.எண்.உ.மி.பொ/இ&பா/அசெபா/வ.ஆ/கோ.கட்டு/அ.எண்.282 and to quash the same.

For Petitioner	.. Mr.S.Krishnasamy
For R1 & R2	.. Mr.V.Venkatesesha, Standing Counsel
For R3	.. Ms.P.Rajarajeswari, Govt. Advocate

ORDER

This writ petition has been filed in the nature of Certiorari to call for the records from the file of the 1st respondent in connection with the impugned order dated 09.12.2022 in க.எண்.உ.மி.பொ/இ&பா/அசெபா/வ.ஆ/கோ.கட்டு/அ.எண்.282 and to quash the same.

2.The issue is very simple. Let me dispose of the writ petition itself.



3.The petitioner is residing at S.No.70/2, Puthu Colony, Salem Main Road, Anguchettipalayam Post, Panruti Taluk, Cuddalore District. The entire extent of the land originally fell under S.No.70 and subsequently, which the lands had been sub-divided by the revenue authorities. S.No.70/1A1 is a vacant land. It is stated that S.No.70/1A1 was assigned to the petitioner under the Adi Dravidar Welfare scheme. The petitioner was however actually residing in the house which is in S.No.70/2. Since he had been allotted S.No.70/1A1, the Village Administrative Officer had given a certificate that the petitioner is residing in S.No.70/1A1. On the basis of that certificate, the petitioner applied for electricity connection. It was also given. Thereafter, the respondents made an inspection and they found that the petitioner is actually residing in the house, which is in S.No.70/2. Therefore, the respondents had taken a decision to disconnect the electricity connection, alleging that the petitioner had obtained electricity connection by giving false documents.

4.Whether the petitioner is lawfully residing in the residence at S.No.70/2 or not, is an issue for the revenue authorities to examine and decide. If the petitioner is actually residing in S.No.70/2, then if he has



documents for the possession of the said property and if he gives necessary undertaking, that merely because electricity connection is granted he would not claim title or seek allotment of that particular place and if the petitioner pays necessary charges, the respondents are directed to transfer the electricity connection given for S.No.70/1A1 to S.No.70/2. If the petitioner, however, files a fresh application seeking electricity connection for S.No.70/2, the respondents can again inspect the premises and verify whether the petitioner is residing only in S.No.70/2. At any rate, the entire process must be completed within a period of 10 working days from the date of either filing a fresh application by the petitioner seeking electricity connection for S.No.70/2 or transfer of connection from S.No.70/1A1 to S.No.70/2.

5. With the above observations, this Writ Petition stands disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

14.02.2023

Index: Yes/No
Internet: Yes/No
smv



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C.V.KARTHIKEYAN,J.

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