



WEB COPY



W.P.No.8220 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:15.03.2023

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.NO.8220 of 2023

and W.M.P.No.8441 of 2023

Nettaiyampalayam

.....Petitioner

Vs

1. The Government of Tamil Nadu,
Rep by its Secretary,
Public Works Department,
Chennai-9.
2. The Assistant Executive Engineer,
Operation & Maintenance,
TANGEDCO, Velur,
Paramathy Velur Taluk, Namakkal District
3. The Assistant Engineer (O & M)
TANGEDCO, Pandamangalam- 637208
Paramathy Velur Taluk, Namakkal District

.....Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents 2 and 3 not to disconnect the Electricity Service Connections, viz., SC No 228-003-524 TP (IV) 120HP; SC No.28-003-530 TP (IV) 120 HP; and SC No.28-003-534 TP (IV) 120 HP already granted to the petitioner's well situated in Survey No.13/15 of Bommalapalayam Village, Paramathy Velur Taluk,



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Namakkal Dt till the final decision is taken by the 1st respondent in compliance of the order of this Court dated 24.03.2021 passed in W.P.No.2830 of 2021.

For petitioner : Mr. N.Subramaniyan

For Respondents : Mr. E.Veda Bagath Singh,

Special Government Pleader for R1.

Mr.S.Kalaiselvan,

Standing Counsel (TNEB) for R2 & R3.

ORDER

This Writ Petition has been filed praying to restrain the respondents 2 & 3 from disconnecting the electricity service connection which was granted in favour of the petitioner's well situated in Survey No.13/15 of Bommalapalayam Village, Paramathy Velur Taluk, Namakkal District till the final decision is taken by the 1st respondent in compliance of the order passed by this Court in W.P.No.2830 of 2021 dated 24.03.2021.

2. Mr.E.Veda Bagath Singh, learned Special Government Pleader takes notice for the 1st respondent & Mr.S.Kalaiselvan, learned Standing Counsel takes notice for respondents 2 & 3.



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3. It is the case of the petitioner that this Court vide order dated 24.03.2021 directed the 1st respondent to consider the recommendation dated 03.10.2019 made by the 2nd respondent recommending to grant permission to the petitioner to lift water from the well which is situated 7m away from the Cauvery River and pass final orders on merits within a period of four months from the date of receipt of a copy of this order and steps are being taken in compliance of the aforesaid order. While being so, the petitioner was informed by respondents 2 & 3 that the electricity service connection would be permanently disconnected on 17.03.2023 which was already temporarily disconnected on 17.03.2018 which would cause loss not only to the petitioner but also to the respondents. Hence, this Writ Petition.

4. Learned counsel for the petitioner submits that a direction may be issued to respondents not to disconnect the electricity service connection which was granted to the petitioner's well till the final decision is arrived by the 1st respondent in compliance of the order dated 24.03.2021 passed by this Court in W.P.No.2830 of 2021.



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5. Learned Standing counsel appearing for the respondents fairly submits that till the final decision is made in compliance of the order passed by this Court, the service lines and transformers in connection to the petitioner's well will not be disturbed.

6. Recording the submission made by the learned standing counsel appearing for respondents 2 & 3, this Writ Petition stands closed. There shall be no order as to costs. Consequently, the connected Miscellaneous Petition stands closed.

15.03.2023

Index : Yes/No

Internet : Yes

NHS



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M.DHANDAPANI, J.

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