



W.P.No.9474 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.03.2023

CORAM

THE HONOURABLE MR.JUSTICE **M.DHANDAPANI**

W.P.No.9474 of 2023

Rasiyappan

...Petitioner

Vs.

1. The Chairman,
Tamil Nadu Generation and Distribution
Corporation Limited,
Anna Salai, Chennai-600 002.

2. The Assistant Engineer,
Operation & Maintenance,
Tamil Nadu Generation and Distribution
Corporation Limited,
Pasur, Coimbatore District - 641 653.

3. G.Saraswathy

...Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 2nd respondent to provide electricity service connection to the petitioner's residential house at S.F.No.142/2 in Allalpalayam village of Annur Taluk in Coimbatore District through the East-West mamool cart tract in S.F.No.142/3 from the existing pole in S.F. No.142/3 without insisting for production of No Objection certificate from



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the 3rd respondent by considering the representation of petitioner dated 21.02.2023.

For Petitioner : Mr.N.Ponraj

For Respondents : Mr.L.Jaivenkatesh, for R1 & R2

ORDER

The petitioner has filed this Writ petition seeking issuance of a Writ of Mandamus to direct the 2nd respondent to consider the petitioner's representation dated 21.02.2023 and provide electricity service connection to the petitioner's residential house without insisting for production of No Objection Certificate (in short 'NOC') from the 3rd respondent.

2. Mr.L.Jaivenkatesh, learned counsel takes notice for the 1st and 2nd respondents. In view of the consent expressed by the Learned counsel appearing for either side, this petition is taken up for final disposal.

3. Since no adverse order is being passed against the 3rd respondent, notice to the private respondent is dispensed with.

4. The case of the petitioner is that he claims to be the owner of the



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land comprised in S.F.No.142/2, measuring an extent of 10 cents situated at Allalpalayam Village, Coimbatore Taluk. The petitioner constructed a house in the said land and pursuant to which, he made an application dated 17.12.2022 before the 2nd respondent, requesting to effect electricity service connection for his residential house. Upon receipt of the said application, the 2nd respondent visited the field and decided to provide electricity service connection through Mamool cart track from an existing police in S.F.No.142/3, which was already erected in the common cart track belonging to the petitioner and the 3rd respondent. However, the 3rd respondent vehemently objected for effecting electricity connection to the petitioner's house. Pursuant to which, the 2nd respondent did not proceed with effecting electricity connection and directed the petitioner to obtain NOC from the 3rd respondent. Aggrieved by the same, the petitioner sent a detailed letter/representation dated 21.02.2023, however, till date, no orders have been passed on the said representation and no action has been initiated by the official respondents for effecting electricity connection to petitioner's residential house. Hence, this Writ petition.

5. Though very many grounds have been raised, learned counsel for



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the petitioner submitted that, it would suffice, if this Court issues direction to the 2nd respondent to consider the petitioner's representation dated 21.02.2023 and effect electricity service connection to the petitioner's residential house without insisting upon production of No Objection Certificate obtained from the 3rd respondent.

6. Learned counsel appearing for the official respondents have no serious objection for the said order being passed.

7. In view of the aforesaid submissions, this Court without expressing any opinion on the merits of the case, directs the 2nd respondent to consider the petitioner's representation dated 21.02.2023 on merits and in accordance with law and pass appropriate orders, within a period of four weeks from the date of receipt of a copy of this order, after affording an opportunity of personal hearing to the petitioner and the 3rd respondent.

8. With the above directions, this Writ petition stands disposed of. No costs.



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Speaking Order : Yes/ No
Index : Yes/ No

To

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M.DHANDAPANI., J.

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