



W.P.No.9740 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.03.2023

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.No.9740 of 2023

and

W.M.P.No.9825 of 2023

J.Vasantharani

... Petitioner

Vs.

1.The Tamil Nadu Electricity Board,
Rep. by its Chairman,
No.144, Anna Salai,
Chennai – 600 002.

2.The Chief Engineer/Personnel,
Chennai Electricity Distribution Circle,
Tamil Nadu Electricity Board (TANGEDCO),
No.144, Anna Salai,
Chennai – 600 002.

3.The Assistant Executive Engineer,
(Operation and Maintenance),
Chennai Electricity Distribution Circle/South,
Tamil Nadu Electricity Board (TANGEDCO),
No.275-A/2, Central Section,
Velachery Main Road,
Velachery, Chennai – 600 042.

... Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, call for the records comprised in the proceedings of 3rd respondent's online communication vide reference No.200092750223218 dated 09.03.2023 and quash the same consequently directing the respondents herein to extent new electricity service connection as per the petitioner's online application No.200092750223218, dated 13.02.2023 as well as the payment of Rs.29,836/- made by petitioner on 15.02.2023 as per the demand of 3rd respondent, in accordance with law as well as per the regulations of the TANGEDCO.

For Petitioner : Mr.J.Selvarajan

For Respondents : Mr.L.Jai Venkatesh
Standing Counsel

ORDER

This Writ Petition has been filed seeking for a Writ of Certiorarified Mandamus, call for the records comprised in the proceedings of 3rd respondent's online communication vide reference No.200092750223218 dated 09.03.2023 and quash the same consequently directing the respondents herein to extent new electricity service connection as per the petitioner's online application No.200092750223218, dated 13.02.2023 as well as the payment of



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Rs.29,836/- made by petitioner on 15.02.2023 as per the demand of 3rd respondent, in accordance with law as well as per the regulations of the TANGEDCO.

2. Mr.L.Jai Venkatesh, learned Standing Counsel takes notice on behalf of the respondents. In view of the consent expressed by the learned counsel appearing on either side, this petition is taken up for final disposal.

3. The case of the petitioner is that, the petitioner has made an online application to the third respondent on 13.02.2023 seeking new electricity service connection in her name. On receipt of the same, the third respondent demanded a sum of Rs.29,836/- and same has been paid by the petitioner. Thereafter, the petitioner's application was cancelled by third respondent's online communication vide reference No.200092750223218 dated 09.03.2023, since the petitioner's partition deed was not registered by the revenue authorities. Challenging the same, the above writ petition is filed before this Court.



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4. The learned counsel for the petitioner submits that the petitioner was in occupation and enjoyment of the said property for more than 20 years and the property, in which the new electricity service connection is sought for is a Grama Natham land. Therefore, the third respondent cannot insist no objection from the revenue authorities. Hence, he prays for appropriate orders.

5. The learned Standing Counsel appearing for the respondents submits that the petitioner is not in possession of any valid title or certificate to prove her possession from the revenue authorities. In the said situation, the relief sought for by the petitioner cannot be granted. Hence, he prays for dismissal of this writ petition.

6. Heard Mr.J.Selvarajan, learned counsel for the petitioner and Mr.L.Jai Venkatesh, learned Standing Counsel appearing for the respondents and perused the materials available on record.

7. In view of the above submissions, this Court is of the view that, though the petitioner claimed that the property in which she sought for



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new electricity service connection is a Grama Natham property, the same has to be recognised by the revenue officials by issuance of patta. Hence, the impugned online communication of the third respondent cannot be interfered.

8. Accordingly, the Writ Petition is dismissed granting liberty to the petitioner to make a fresh application after obtaining patta from the Revenue Department. No costs. Consequently, the connected miscellaneous petition is closed.

30.03.2023
(2/2)

Index : Yes / No
Speaking order / Non-speaking order
Neutral Citation Case : Yes / No
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To

1.The Chairman,
Tamil Nadu Electricity Board,
No.144, Anna Salai,
Chennai – 600 002.

2.The Chief Engineer/Personnel,
Chennai Electricity Distribution Circle,
Tamil Nadu Electricity Board (TANGEDCO),
No.144, Anna Salai,
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M.DHANDAPANI, J.

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3.The Assistant Executive Engineer,
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