



WEB COPY

W.P.No.32837



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 07.12.2023

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THE HONOURABLE **DR. JUSTICE ANITA SUMANTH**

W.P.No.32837 of 2023

B.Krishnasamy

... Petitioner

Vs

- 1 The Junior Engineer,
TANGEDCO,
Coimbatore Distribution Circle/North,
Dhayanur North, Dhayanur – 641 113.
2. The Assistant Engineer,
TANGEDCO, Karamadai,
Kundha Colony, Railway Station Road,
Karamadai – 641 104.
3. The Executive Engineer,
TANGEDCO, Mettupalayam,
Sirumugai Road, Power House,
Mettupalayam – 641 301.
4. The Superintending Engineer,
TANGEDCO, CEDC, Coimbatore North,
Tatabad, Coimbatore – 641 012.
5. The Chairman cum Managing Director,
TANGEDCO,
6th floor, TANTRANSCO Building,
No.144, Anna Salai, Chennai – 600 002.

... Respondents



PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned order/proceedings of the 1st respondent bearing Ka.En/ Ee.Mi.Po/ Ee&Pe/Va/Tha/KoViEn/295/22, dated 13.12.2022 and quash the same and consequently direct the respondents to provide free electricity service connection for the well comprised S.F.No.574/2B of Velliyankadu Village, Mettupalayam Taluk, Coimbatore District, within a time stipulated by this Honourable court.

For Petitioner : Mr.PA.Saigovindaraja

For Respondents : Ms.Keerthana Shenoi
for Mr.L.Jai Venkatesh
Standing Counsel

ORDER

Read this order in continuation of and in conjunction with order dated 21.11.2023, which reads as follows:-

“Mr.Enock Anand, learned counsel on behalf of Mr.L.Jai Venkatesh, learned Standing Counsel accepts notice for the respondents and seeks some time to obtain instructions and file a counter.

2. He states that a suit O.S.No.269 of 2021 is pending before the learned District Munsif, Mettupalayam, which has been filed by the petitioner against one Muruges, who is stated to be owner of the adjacent piece of land. The officials of TANGEDCO have also been arrayed as defendants in the suit, as the relief sought for therein is for a permanent and mandatory Injunction restraining the private defendants from interfering with the peaceful possession of the petitioner's property and restraining the officials



of TANGEDCO from laying electrical lines inside the petitioner's property, otherwise than by due process of law and other reliefs.

3. It is the petitioner's case that the Well is admittedly within the boundaries of his own property and hence, the pendency of that suit would have no connection whatsoever to grant of electricity connection to the Well.

4. The 1st respondent/Junior Engineer, TANGEDCO, Coimbatore Distribution Circle/North, shall cause inspection of the property of the petitioner in S.F.No.574/2B (Old S.F.No.618/2 Part) of Velliyankadu Village, Mettupalayam Taluk, Coimbatore District to ascertain whether the Well is on the petitioner's property and file a status report prior to the next date of hearing. If the answer is in the affirmative, there should be no difficulty to the grant of electricity connection.

5. List on 05.12.2023 at the end of the admission list. Status report by then with an advance copy served upon the petitioner.

2. Ms.Shenoi confirms, in light of written instructions dated 07.12.2023 that the Well has been ascertained to be on the petitioner's property only and there is no difficulty for the grant of electricity connection.

3. Since she states that certain formalities are required to be completed by the petitioner for the grant of electricity connection, let the petitioner approach the respondents along with a copy of this order and ascertain what needs to be done.

4. Needless to say, that the authority, upon receipt of necessary documents from the petitioner, will take necessary steps to grant electricity connection in respect of the said Well, forthwith.



DR.ANITA SUMANTH, J.

5. This Writ Petition is disposed as above. No costs.

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07.12.2023

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Index : Yes / No

Speaking Order:Yes

Neutral Citation:Yes

To

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