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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.06.2023

CORAM

THE HONOURABLE MR.JUSTICE **C.V.KARTHIKEYAN**

W.P.(MD)No.7547 of 2023

S.Balamurugan

... Petitioner

vs.

The Executive Engineer,
(Maintenance & Operations),
Tamilnadu Power Generation and
Distribution Corporation Limited,
TANGEDCO, Thirumangalam, Madurai District.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order issued by the respondent in his proceedings in Kn/sp/p.ki./thiru.ma/tho.nu.vu/ko.V.va.pe.ma/Aa No.272, dated 13.02.2023 and to quash the same and consequently, to direct the respondent to provide the petitioner the free electricity service connection in respect of his lands comprised in S.No.67/5A situated at O.Alangulam Village, Thirumangalam Taluk, Madurai District within the time stipulated by this Court.



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For Petitioner :Mr.J.Vishnu
For Respondent :Mr.S.Deenadhayalan

ORDER

The Writ Petition has been filed in the nature of a Certiorarified Mandamus seeking records relating to an order issued by the respondents in Proceedings dated 13.02.2023 and to interfere with the same.

2.Heard Mr.J.Vishnu, learned Counsel for the petitioner and Mr.S.Deenadhayalan, learned Counsel for the respondent.

3.The petitioner seeks free electricity service connection for the land at S.No.67/5A at O.Alangulam Village, Thirumangalam Taluk, Madurai District.

4.In the affidavit filed in support of this Writ Petition, it had been stated that the father of the petitioner had applied for free electricity service connection for the aforementioned land. It had been stated that everybody else who had so applied along with the father of the petitioner



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had been granted free electricity service connection. It had been stated that the petitioner had sent a representation on 09.04.2021.

5.The petitioner had earlier filed W.P(MD)No.9665 of 2021 in the nature of a Mandamus seeking to provide free electricity service connection. A direction was issued that the representation of the petitioner should be considered and suitable order should be passed within a period of twelve weeks. The impugned order came to be passed thereafter.

6.In the impugned order, it had been stated that an enquiry was conducted and that it came to the knowledge of the respondent that an application had been filed by the father of the petitioner, but such application had lapsed on 30.01.2016.

7.It could be for various reasons including that notice had been issued by the respondent and the petitioner would not have answered to the same. There will always be instances that notices have been issued and the recipients of the notice might have failed either to receive the



same or to answer the requirements under the same. The respondent must realise that the petitioner being an agriculturalist may not be well-versed with the nuances of the rules and regulations of the respondent. Therefore a little leverage should be given to the petitioner herein.

8.The impugned order is set aside. A direction is issued to the respondent to grant free electricity service connection to the petitioner, if the petitioner is otherwise eligible. If electricity supply could be granted only when there is an announcement relating to the policy decision, then within twelve weeks from such announcement, the electricity connection should be granted to the petitioner herein.

9.The Writ Petition stands allowed. No costs.

Index :Yes / No
Internet :Yes
NCC : Yes/No

13.06.2023

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C.V.KARTHIKEYAN, J.

cmr

Order made in
W.P.(MD)No.7547 of 2023

13.06.2023