



W.P.(MD).No.17063 of 2021

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

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**DATED : 13.07.2023**

**CORAM**

**THE HONOURABLE MRS.JUSTICE S.SRIMATHY**

**W.P.(MD).No.17063 of 2021**

S.Selvakumar

... Petitioner

**Vs.**

1. The District Collector,  
Pudukottai.

2. The Assistant Engineer,  
Operation and Maintenance (South),  
Tamil Nadu Generation and Distribution Operation,  
Mathur Post,  
Kulathur Taluk,  
Pudukottai.

3. The Tahsildar,  
Kulathur Taluk,  
Pudukottai.

... Respondents

**PRAYER** : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a ***Writ of Mandamus***, directing the 2<sup>nd</sup> respondent to give electricity service connection for the house of the petitioner situated in S.F.No.206/2 of Mathur Village, Kulathur Taluk, Pudukottai District.

|                |                                                 |
|----------------|-------------------------------------------------|
| For Petitioner | : M/s.G.Xavier                                  |
| For R-1 & 3    | : Mr.A.K.Manikkam<br>Special Government Pleader |
| For R-2        | : Mr.S.Deenadhayalan,<br>Standing Counsel       |



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## **ORDER**

By consent of both the parties, this writ petition is taken up for final disposal.

2. This writ petition is filed seeking electricity service connection.

3. The learned Standing Counsel appearing for the 2<sup>nd</sup> respondent on instructions submitted that the S.F.No.206/2 of Mathur Village, Kulathur Taluk, Pudukottai District, measuring about 75 acres is classified as “Vari”. Even in the 'A' register, it has been stated as “Vari” and the extent of land is stated as 31.83.5 Hectare. The said contention of the respondents was refuted by the petitioner and submitted that, even if it is a Vari, there are totally 300 houses and for 150 houses electricity connections were already granted by the Electricity Board.

4. Considering the rival submissions, this Court passes the following order:

i. The petitioner shall submit an affidavit to the 3<sup>rd</sup> respondent Tahsildar that he will vacate the land, when the notice of eviction is received by the



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authorities and also shall state in the affidavit that he will not claim any rights, expenses or damages for the land and superstructure.

ii. On receipt of the affidavit the 3<sup>rd</sup> respondent Tahsildar shall issue '**No Objection Certificate**'.

iii. On receipt of the no objection certificate the Electricity Board shall provide electricity connection to the petitioner.

5. In view of the above directions, this Writ Petition is allowed in above terms. There shall be no order as to costs.

**13.07.2023**

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



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**S.SRIMATHY, J.**

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