



W.P.(MD)No.17780 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.10.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD)No.17780 of 2020
and
W.M.P.(MD).No.13746 of 2021

G.Balamurugan

... Petitioner

Vs.

- 1.The Superintending Engineer
Tamil Nadu Generation
and Distribution Corporation Limited,
(TANGEDCO), Ramamoorthy Road,
Virudhunagar District , Virudhunagar.
- 2.The Administrative Engineer,
Tamilnadu Generation
and Distribution Corporation Limited,
(TANGEDCO), Athipatty, Aruppukottai,
Virudhunagar District.
- 3.The Assistant Engineer
Tamilnadu Generation and
Distribution Corporation Limited,
(TANGEDCO), Panthalkudi,
Virudhunagar District, Virudhunagar.

4.K.Janaki Ammal

...Respondents



W.P.(MD)No.17780 of 2020

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 1st to 3rd respondents to provide permanent electricity connection to the petitioner after shifting the electric line on the panchayat Public road on the cost of the 4th respondent and as per the 3rd respondent's proceeding dated 09-10-2020 in க.எண்: உ.மி.பொ / பகிர் / பந்தல்குடி / அ.எண் 522/2020 and by considering the petitioner's representation dated 21-09-2020.

For Petitioner : Mr.A.Jeyaram

For R-1 to R-3 : Mr.S.Dheenadhayalan,
Standing Counsel

For R-4 : Mr.A.Baskaran

ORDER

This Writ Petition has been filed for the issue of a writ of mandamus directing respondents 1 to 3 to provide permanent electricity connection to the petitioner after shifting the low tension line to the Panchayat Public road.

2. Heard the learned counsel appearing for the petitioner as well as learned Standing Counsel appearing for respondents 1 to 3 and learned counsel appearing for the fourth respondent.



W.P.(MD)No.17780 of 2020

WEB COPY

3. The grievance of the petitioner is that when his property was vacant, a low tension wire was drawn across the property of the petitioner. The petitioner, thereafter, constructed a house and sought for permanent electricity connection in the year 2020. The same was refused to be given by respondent Nos.1 to 3 on the ground that the electricity line was running very near to the building and there was no horizontal clearance as provided under the relevant Rules.

4. In view of the above, the petitioner made a representation to the respondents 1 to 3 to shift the electricity line to the Panchayat public road. The petitioner also informed the Electricity Department that the fourth respondent is willing to bear the cost for shifting of the electricity lines. Since the same was not considered, the present Writ Petition has been filed before this Court.

5. The shifting of the electricity line should be done in accordance with the Depositary Contributory Works Scheme contemplated



W.P.(MD)No.17780 of 2020

WEB COPY

under Regulation 5 (6) (ii) of the Tamil Nadu Electricity Supply Code. The application has to be made and the cost must also be paid and thereafter steps will be taken to shift the electricity line. According to the petitioner, the fourth respondent has also agreed to bear the cost. Hence, it is left open to the petitioner to make an application before the third respondent and the cost shall also be paid for shifting the electricity line and the third respondent shall also act upon the same and the electricity line shall be shifted to an alternative place. This process shall be completed by the third respondent within a period of three (3) months from the date of receipt of application from the petitioner.

6. This Writ Petition is disposed of with the above directions.

No costs. Consequently, the connected miscellaneous petition is closed.

06.10.2023

NCC:yes/no
Index:yes/no
Internet:yes/no
tsg



WEB COPY



W.P.(MD)No.17780 of 2020

N.ANAND VENKATESH, J.

tsg

W.P.(MD)No.17780 of 2020

06.10.2023