



W.P.(MD)No.17513 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.11.2023

C O R A M

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD)No.17513 of 2021

A.Pushparaj

... Petitioner

-VS-

The Assistant Engineer,
(O and M North),
Tamil Nadu Generation and Distribution
Corporation Ltd. (TANGEDCO),
Vaiyampatti, Manapparai Taluk,
Trichy District.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent to give electricity service connection to the petitioner's house at S.F.No.182/3, North Street, Karungulam, Sekkanam, Manapparai Taluk, Trichy District, in the light of the petitioner's Application bearing No.200062460821251 submitted to the respondent and also based on the indemnity bond executed by the petitioner as per Section 27 of the Tamil Nadu Electricity Distribution Code, within a time frame as fixed by this Court.



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For Petitioner : Mr.B.Prahalad Ravi
For Respondent : Mr.S.Deenadhayalan
Standing Counsel

ORDER

This Writ Petition has been filed for issuance of Writ of Mandamus, directing the respondent to give electricity service connection to the petitioner's house, by considering the application made by the petitioner.

2. Heard the learned counsel appearing on behalf of the petitioner and the learned Standing Counsel appearing on behalf of the respondent.

3. The learned Standing Counsel appearing on behalf of the respondent submitted that the property that is in occupation of the petitioner has been categorized as a Government Poramboke and therefore, the petitioner has to get a No Objection Certificate from the Village Administrative Officer and thereafter, the request made by the petitioner for electricity service connection will be considered.



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4. The petitioner seems to be in possession and enjoyment of the property, which was constructed in a Government Poramboke land. In case of this nature, Regulation 27 of the Tamil Nadu Electricity Distribution Code will apply. The petitioner has already submitted an Indemnity Bond and had undertaken that the Board shall be at liberty to disconnect the service connection. This Court has passed several orders in cases of this nature. This Court had directed the Electricity Board to collect twice the regular amount and to get the Indemnity Bond from the occupier and thereafter, to grant service connection. This Court had also directed that such service connection given to the occupier will not create any new right in favour of the occupier. The same procedure can be followed in the present case also.

5. In view of the above, there shall be a direction to the respondent to deal with the application submitted by the petitioner, seeking for electricity service connection and after completing all the formalities, the electricity service connection shall be granted to the petitioner. This process shall be completed by the respondent within a period of four weeks from the date of receipt of a copy of this order.



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6. This Writ Petition is disposed of with the above direction. No costs.

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NCC : Yes/No
Index : Yes/No
smn2

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To

The Assistant Engineer,
(O and M North),
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N.ANAND VENKATESH, J.

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