



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.10.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.22784 of 2022

S.Mani @ Veerammal

... Petitioner

Vs.

1. The Executive Engineer,
Water Resource Department,
Ariyarur Basin Division,
Trichy – 612 020.

2. The Executive Engineer,
Operation and Maintenance Division,
TANGEDCO, Musiri,
Trichy District.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to call for the records relating to impugned order passed by the 2nd respondent in his proceedings Ka.No.E.Mi.Po/Si.Ka/J.Puram/Ko. Kattu/ A.No.130/22 dated 27.06.2022 and the impugned order passed by the 1st respondent in his proceeding letter No.Va.Pi / Va1/ Ko. 76/2022/ dated 03.08.2022 and quash the same and consequently direct the 2nd respondent to provide agricultural electricity connection for 7.5 HP motor to the petitioner.



2

W.P.(MD)NO.22784 OF 2022

For Petitioner : Mr.S.Sankar
For R-1 : Mr.K.Balasubramanian,
Special Government Pleader.
For R-2 : Mr.S.Deenadhayalan,
Standing Counsel.

* * *

ORDER

Heard both sides.

2. The petitioner is owning a little over 2 acres of land on the bank of river Kaveri in Thuraiyur Taluk. Her husband Saravanan is owning around 4.5 acres of land. Both the lands are contiguous to each other. The petitioner wants to install a bore well.

3. In terms of the notification issued by the Ministry of Jal Shakti, “no objection” is not required for agricultural activities. But the question is not whether the petitioner should obtain NOC. The question is to what extent, the petitioner can be given horsepower. If the petitioner's application is considered in isolation, she will be entitled to only 3 hp. If the petitioner's lands are considered along with



her husband's contiguous lands, the petitioner will be entitled to 5 hp.

4. I do not want to interfere with the impugned communication. I permit the petitioner and her husband to submit a joint application. Their land holdings will be considered as one lot and horsepower will be accorded accordingly. This is of course subject to the fulfillment of the other requirements. This writ petition stands disposed of with the aforesaid direction to the respondents. No costs.

03.10.2023

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

To:

The Executive Engineer,
Water Resource Department,
Ariyarur Basin Division,
Trichy – 612 020.



WEB COPY



4

W.P.(MD)NO.22784 OF 2022

G.R.SWAMINATHAN,J.

PMU

W.P.(MD)No.22784 of 2022

03.10.2023