



W.P(MD)No.9163 of 2015

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.09.2023

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN**

W.P(MD)No.9163 of 2015  
and  
M.P.(MD)Nos.1 & 2 of 2015

S.Nagalingam

... Petitioner

**Vs.**

1.The Executive Engineer (Distribution)  
Tamil Nadu Generation and Distribution Corporation  
Circle Office,  
Nagercoil,  
Kanyakumari District.

2.The Junior Engineer (Distribution)  
Tamil Nadu Generation and Distribution Corporation  
Keelakrishnan Puthur,  
Kanyakumari District.

3.Kalaperumal

... Respondents

**Prayer :** Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records of the impugned order Ka.No.60/E.Mi.Po/Vi/Kee.Ki.Pu/ Ko.Kattu/2015 dated 06.02.2015 passed by the 2nd respondent and quash the same as illegal and consequently direct the respondent to provide Electricity connection to the petitioners house situated at 5-70A, Vellalanvilai, North Soorangudi post, Kanyakumari District.



WEB COPY



W.P(MD)No.9163 of 2015

For Petitioner : Mr.L.George Paul Anto

For Respondents : Mr.S.Deenadhayalan for R1 & R2

: Mr.H.Thayumanasamy for R3

### **ORDER**

Heard the learned counsel on either side.

2. The petitioner applied to TANGEDCO for being provided with electricity connection. It appears that for drawing the line from the nearby pole, consent from the third respondent may be required. That is because, the overhead lines will pass through a common pathway, in which, the third respondent is having right and interest. Challenging the said stipulation that the petitioner should obtain consent from the third respondent, this writ petition came to be filed.

3. After hearing both sides, I am more than satisfied that the demand made by the second respondent is in consonance with the provision set out in the Works of Licensees Rules. The impugned communication is therefore sustained. At the same time, I must observe that the petitioner is entitled to supply of electricity. It is for the respondents 1 & 2 to supply electricity



**W.P(MD)No.9163 of 2015**

through any other unobjectionable route. The authorities may have to lay extra poles. If the petitioner is willing to bear the charges, the electricity supply will have to be given. The petitioner is permitted to submit a fresh application online. Upon receipt thereof, the second respondent shall prepare estimate of charges payable by the petitioner. The communication of the estimate shall be done within a period of two weeks after receipt of the online application of the petitioner. Upon the petitioner remitting the necessary charges, the electricity service shall be given without any further delay. The writ petition is allowed by sustaining the impugned order. No costs. Consequently, connected miscellaneous petitions are closed.

**19.09.2023**

Index : Yes / No  
Internet : Yes/ No  
rmi



WEB COPY



**W.P(MD)No.9163 of 2015**

**G.R.SWAMINATHAN, J.**

rmi

W.P(MD)No.9163 of 2015

19.09.2023