



WP (MD) No.21585 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.09.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

WP(MD)No.21585 of 2023 and
WMP(MD) No.17998 of 2023

M.Prabakaran

... Petitioner

Vs

1.The Executive Engineer,
Operation and Maintenance,
TANGEDCO,
Thanjavur District.

2.The Assistant Executive Engineer,
(Operation and Maintenance) Town,
Thirukkattuppalli,
Thanjavur District.

3.The Tahsildar,
Budaloor Taluk,
Thanjavur District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for



WP (MD) No. 21585 of 2023

records relating to impugned proceedings in K.No. E.E/ O.M./ Thanjavur/V.A./K.O.V.M.E./A No- 1680/2023 dated 25.07.2023 passed by the first respondent and quash the same and consequently direct the respondents 1 and 2 not to insist upon no objection certificate for the purpose of petitioner's electricity service connection in service connection No. 410-007-1214 in Survey 503/17, Koviladi Village.

For petitioner : Mr.A.Sivasubramanian
For R1 & R2 : Mr.S.Deenadayalan,
Standing Counsel
For R3 : Mr.M.Sarangan
Additional Government Pleader

ORDER

The petitioner has filed this writ petition as against the notice issued by the respondent TANGEDCO, calling upon the petitioner to produce No Objection Certificate obtained from the Tahsildar, with regard to the land in S.No.503 of 2017, Koviladi Village, Budaloor Circle, Thanjavur.



WP (MD) No. 21585 of 2023

WEB COPY

2.The learned counsel appearing for the petitioner by referring the receipts issued by the respondent Board submits that the electricity service connection has already been effected to the petitioner for his property in S.No.503 of 2017 in the year 2023 that the petitioner is having all the revenue records in his favour. He further submits that in fact, the respondent TANGEDCO has considered the revenue records such as house tax receipts issued by the Village Administrative Officer, Adangal and other documents granted electricity service connection. However, they have once again insisted the the petitioner to produce No Objection Certificate from the Tahsildar on the ground that No Objection Certificate is required for grant of electricity service connection for the lands earmarked as Natham lands.

3.In the absence of any specific mandate under the Statutes, the respondents are not supposed to insist the petitioner to produce No



WP (MD) No. 21585 of 2023

WEB COPY

Objection Certificate. Accordingly, this writ petition is allowed. The impugned proceedings of the first respondent in K.No. E.E/ O.M./ Thanjavur/V.A./K.O.V.M.E./A No-1680/2023 dated 25.07.2023 is hereby set aside. No costs. Consequently, connected Miscellaneous Petition is closed.

05.09.2023

NCC :Yes/No
Index :Yes/No
Internet:Yes
vrn



WP (MD) No.21585 of 2023

WEB COPY

To

- 1.The Executive Engineer,
Operation and Maintenance,
TANGEDCO,
Thanjavur District.
- 2.The Assistant Executive Engineer,
(Operation and Maintenance) Town,
Thirukkattuppalli,
Thanjavur District.
- 3.The Tahsildar,
Budaloor Taluk,
Thanjavur District.



WEB COPY



WP (MD) No.21585 of 2023

B.PUGALENDHI, J.

vrn

Order made in
WP(MD)No.21585 of 2023 and
WMP(MD) No.17998 of 2023

05.09.2023