



W.P.(MD)No.10040 of 2016

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED :10.03.2023

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THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.(MD)No.10040 of 2016

V.Murugesan

... Petitioner

Vs.

1.The Executive Engineer,
Operation & Maintenance,
Tamil Nadu Electricity Board,
Pudukottai.

2.The Assistant Engineer,
Operation & Maintenance,
Tamil Nadu Electricity Board,
Andakulam.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus,calling for the records of the second respondent in க.எண்.உ.மி.பொ/இ.சா/அ.குளம்/கோ.வி.வி/அ.எண்.216/15-16 நாள்:02.02.2016 and quash the same as illegal and also direct the second respondent to give special agricultural electricity connection to the petitioner's bore well situated in S.F.No.29/2B1A, Thiruppur Post, Kulathur Taluk, Pudukottai District by considering the representation given by the petitioner dated 25.01.2016.



W.P.(MD)No.10040 of 2016

For Petitioner :Mr.S.Muthukrishnan

For Respondents :Mr.S.Deenadhayalan

ORDER

The petitioner applied for an agricultural electricity connection on 10.01.1994 in relation to the borewell situated on S.F.No.29/2B1A. In response to such application, a communication dated 02.02.2016 was issued by the second respondent.

2. Learned counsel for the petitioner invited my attention to paragraph 7 of the said letter and pointed out that the second respondent has refused to examine the application on the ground that it was submitted one day after the last date for submission of such application.

3. In response, learned Standing Counsel for the respondents relied upon the Tamil Nadu Electricity Distribution Code and, in particular, Regulation 27(e) thereof. Learned counsel submitted that the provision prescribes a maximum period of five years within which all necessary



W.P.(MD)No.10040 of 2016

particulars are required to be submitted. In the case at hand, he stated that the five year period expired on 24.01.2016.

4. Upon examining the impugned communication dated 02.02.2016, it is noticeable that the second respondent has pointed out various discrepancies in the application of the petitioner under paragraphs 1 to 6. Thereafter, in the concluding paragraph, the second respondent has pointed out that the application was submitted one day beyond the five year period prescribed by Regulation 27(e).

5. The admitted position is that the petitioner applied for an agricultural electricity connection as early as on 10.01.1994 under Application No.540. The readiness of the petitioner was required to be established by submitting the requisite particulars on or before 03.12.2010. From the impugned communication, it appears that there is only a delay of one day.



W.P.(MD)No.10040 of 2016

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6. In the above facts and circumstances, the respondents are directed to consider the petitioner's application without rejecting the same only on the ground that the application was submitted one day beyond the prescribed time limit. However, this order will not stand in the way of the respondents examining the application on merits and in accordance with applicable regulations.

7. Accordingly, W.P.(MD).No.10040 of 2016 is disposed of on the above terms by directing the respondents to consider and dispose of the application within a period of four weeks from the date of receipt of a copy of this order.

10.03.2023

NCC :Yes/No
Internet :Yes/No
Index :Yes/No
sbn



W.P.(MD)No.10040 of 2016

To
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W.P.(MD)No.10040 of 2016

SENTHILKUMAR RAMAMOORTHY, J.

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W.P.(MD)No.10040 of 2016

10.03.2023