



WP (MD) No.1129 of 2016

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:14.02.2023

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CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

WP (MD) No.1129 of 2016

and

WMP (MD) No.942 of 2016

M.Balakrishnamurthy

... Petitioner

Vs

1.The Director (Distribution),
Tamil Nadu Electricity Generation &
Distribution Corporation Ltd,
No.144, Annasalai,
Chennai - 600 002.

2.The Executive Engineer,
Operation and Maintenance,
Tamil Nadu Electricity Generation &
Distribution Corporation Ltd,
Musiri, Trichy District.

3.The Assistant Executive Engineer,
Operation and Maintenance,
Tamil Nadu Electricity Generation &
Distribution Corporation Ltd,
Thottiyam, Trichy District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a writ of certiorarified mandamus, to call for the records pertaining to the impugned order of the second respondent dated



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17.10.2015 vide his proceedings letter
No.Se.Po/Ei.Ka/Musiri/Vu.Varai/Ko.Pudur/A.No.57/2015-2016
and quash the same and consequently directing the
respondents to provide agriculture electricity connection
on par with the other tenants within the time frame fixed
by this Court.

For petitioner : Mr.T.Vadivelan

For Respondent : Mr.S.Deenadhayalan

Additional Government Pleader

ORDER

The writ petition is filed challenging the proceedings
of the second respondent dated 17.10.2015 in and by which
the request of the petitioner for free agricultural
electricity connection was rejected.

2. The petitioner / tenant is an agriculturist and he
applied for electricity connection for agriculture in the
year 1995. By seniority the application was considered for
allotment in the year 2010. Field inspection was conducted
in the year 2010, wherein it was found that the petitioner/
applicant submitted his application with wrong survey



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number in the year 1995 as Survey No.281/2, instead of Survey No.294. The petitioner claims that he rectified the mistake in the application in the year 2010 itself. However, the respondent Board claims that it was corrected only in the year 2015. Therefore, the respondent Board has rejected the petitioner's application on 17.10.2015 on the ground that the petitioner has not rectified the mistake in the application by mentioning the correct survey number within the prescribed time. Challenging the rejection of the application of the petitioner, this present writ petition is filed.

3.The learned Counsel for the petitioner submits that in the application submitted in the year 1995 inadvertently survey number was mentioned as S.No.281/2, instead of S.No.294. The mistake was pointed out by the respondent Board and it was corrected in the year 2010. However, the respondent rejected the application.

4.The learned Counsel for the respondent TANGEDCO submits that the wrong mentioning of the survey number in



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the application was pointed out to the petitioner in the year 2010 itself. The petitioner corrected the mistake only in the year 2015. The petitioner should have corrected the mistake within 90 days as required under Clause 27(2) of the Tamil Nadu Electricity Distribution Code. Therefore, the petitioner's application was rightly rejected.

5.This Court considered the rival submissions and perused the materials placed on record.

6.The petitioner is an agriculturist and had applied for free agricultural electricity service connection in the year 1995. However in the application wrong survey number was mentioned. Subsequently it was also corrected. The respondent Board claims that it was corrected only in the year 2015. Considering the application was made by an agriculturist in the year 1991, for getting free electricity service connection for the purpose of agriculture, his application was also considered for allotment in the year 2010 and also considering the pendency of the writ petition for the past six years, the



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respondent Board is directed to consider the application of the petitioner for electricity connection in S.No.294 and shall effect the electricity connection within a period of six months from the date of receipt of a copy of this order. No costs. Consequently connected miscellaneous petition is closed.

14.02.2023

dsk

To

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B. PUGALENDHI, J.

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