



W.P(MD)No.24892 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 12.10.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.24892 of 2023

and

W.M.P(MD)No.21068 of 2023

Viswanathan

... Petitioner

Vs.

1.The Executive Engineer,
TANGEDCO,
Palani, Dindigul District.

2.The Assitant Electric Engineer,
TANGEDCO,
Swaminathapuram @ Pushpathur,
Dindigul District.

3.The Executive Engineer,
PWD, Dharapuram,
Tiruppur District.

4.The Assistant Engineer,
PWD / WRD,
Amaravathi Basin Division – II,
Komaralingam, Palani,
Dindigul District.

... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents more particularly the third respondent to issue clearance certificate for the existing agriculture electricity service connection in S.C.No.292-003-365 in the bore-well situated at Survey No.23/1C2 at North Sangaramanallur Village, Madathukulam Taluk, Tiruppur District based on the communication of the first respondent dated 21.09.2023 in Lr.No.EE / PLN / TA/ F.NOC.D.No1791/23.

For Petitioner : Mr.D.Venkatesh

For Respondents : Mr.S.Dheenadhayalan
Standing Counsel for R.1 & R.2

ORDER

Heard both sides.

2. The petitioner is enjoying electricity service connection for his agricultural lands for more than 10 years. It appears that the land is located within 200 meters from Amaravathi river. It also appears that in such cases No Objection Certificate from Public Works Department is insisted upon. Alleging that without getting No Objection Certificate from Public Works Department the connection had been given, it was straightaway disconnected. It is not in dispute that no notice was issued



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before effecting disconnection. On this sole ground, I am constrained to interfere.

3. The respondents 1 and 2 are directed to effect reconnection immediately and without any delay. It is stated by the learned counsel appearing for the petitioner that the first respondent had already sent a communication to the third respondent seeking No Objection Certificate in this regard. The third respondent is directed to take a call in the matter after putting the petitioner on notice within a period of three months from the date of receipt of a copy of this order. The rights of the parties will abide by the order to be passed by the third respondent.

4. This writ petition is allowed on these terms. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

12.10.2023

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

MGA

Note: Issue order copy on 13.10.2023.



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G.R.SWAMINATHAN, J.

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