

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **21.03.2023**

CORAM:

THE HONOURABLE MR.JUSTICE **R.SUBRAMANIAN**
AND
THE HONOURABLE MRS.JUSTICE **L.VICTORIA GOWRI**

W.A.(MD)No.312 of 2023
and
C.M.P(MD)Nos.3530 and 3532 of 2023

K.Saravanan

: Appellant

Vs.

1.The Executive Engineer,
Operation and Maintenance,
Tamil Nadu Generation and
Distribution Corporation Limited,
North Thathinagar Pettai,
Trichy District 621 214.

2.The Assistant Executive Engineer,
Operation and Maintenance
Tamil Nadu Generation and
Distribution Corporation Limited,
North Thathinagar Pettai,
Trichy District 621 214.

3.The Divisional Engineer,
TNEB, Musiri, Trichy District.

: Respondents/Respondents

PRAYER: Writ Appeal is filed under Clause 15 of Letters Patent to set aside the impugned order dated 02.11.2022 passed in W.P(MD)No.17480 of 2014.

For Appellants : Mr.S.Ramesh
For Respondents : Mr.S.Deenadayalan
Standing Counsel

JUDGMENT

(Judgment of the Court was delivered by **R.SUBRAMANIAN, J.**)

We do not find any merit in the writ appeal. Admittedly, the petitioner has been accused of misusing the free service connection provided for agricultural purposes to draw water for construction purposes.

2.The explanation offered by the petitioner is wholly unbelievable inasmuch as the petitioner claims that the water that has been used for construction purpose has been lifted using generator. It is also simultaneously claimed that the generator was in impaired condition. Therefore, the authorities as well as the Writ Court have rightly rejected the explanation offered by the petitioner. We do not find any ground to interfere with the said conclusion. Hence, this writ appeal fails and the same is dismissed.

3.Mr.C.Ramesh, learned counsel for the petitioner would submit that the petitioner may be permitted to pay a sum of Rs.3,73,095/- in installments

without prejudice to his contentions before the Criminal Court. We find that the request is reasonable. Hence, the petitioner is permitted to pay a sum of Rs. 3,73,095/- in six monthly installments commencing from 20.04.2023. No costs. Consequently, connected miscellaneous petitions are closed.

[R.S.M.,J] (L.V.G.,J)
21.03.2023

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

W.A.(MD)No.312 of 2023

**R.SUBRAMANIAN.,J.
AND
L.VICTORIA GOWRI.,J.
skn**

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