



W.P.(MD)No.27520 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 05.01.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.27520 of 2022

S.M.Sikkandar Batcha
S/o.Mohamed Ibrahim,
186/B, Kamaraj Street,
Madhina Nagar, Palani,
Dindigul District-624 601.

(Petitioner cause title amended in cause title affiavit para Nos.2, 9 and in prayer portion vide Court order dated 16.12.2022 in W.M.P(MD).No. 22468 of 2022 in W.P(MD).No.27520 of 2022)

... Petitioner

Vs.

- 1.The Chairman,
TANGEDCO,
Administrative Office,
Anna Salai, Chennai 600 002.
- 2.The Superintending Engineer,
TANGEDCO,
Palani, Dindigul District.
- 3.The Executive Engineer,
TANGEDCO,
Palani Town, Dindigul District.
- 4.The Assistant Engineer,
TANGEDCO,
Palani Town, Dindigul.



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5.The Secretary,
Muslim Dharma Paripalana Sangam,
Palani Taluk, Dindigul District.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents 4 and 5 to give the Electricity Service Connection to the petitioner's house bearing Door No.186/B, Kamaraj Street, Madhina Nagar, Palani Town, Dindigul District 624 601 based on the petitioner's representation dated 30.05.2020 within the time stipulated by this Court.

(Prayer portion amended vide Court order dated 16.12.2022 in W.M.P(MD).No.22468 of 2022 in W.P(MD).No.27520 of 2022)

For Petitioner : Mr.M.R.Sreenivasan

For Respondents : Mr.S.Deenadhayalan
Standing Counsel (for R1 to R4)

ORDER

Heard the learned counsel for the writ petitioner and the learned Standing Counsel for TANGEDCO. Though the fifth respondent has been served and his name is printed in the cause-list, he has not chosen to enter appearance.



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2. The property in question belongs to the fifth respondent. The petitioner is in occupation thereof in his capacity of tenant. The petitioner wants electricity connection for the premises in question. Since the fifth respondent has raised objection, TANGEDCO is not processing the petitioner's application.

3. It is well settled that provision of electricity supply is a basic and fundamental amenity and therefore, it cannot be denied, even if the land owner is opposing, still the tenant is entitled to obtain electricity supply. Ofcourse, there are certain formalities to be fulfilled. The petitioner states that he fulfilled all the formalities in this regard.

4. Subject to the petitioner fulfilling of all the formalities, the fourth respondent is directed to provide electricity service connection to the petition mentioned premises. This exercise shall be done within a period of six weeks from the date of receipt of a copy of this order. The Writ Petition is allowed accordingly. No costs.

05.01.2023

NCC : Yes / No
Index : Yes / No



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Rmk

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