



W.P(MD)No.27821 of 2022

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.01.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.27821 of 2022

Banumathi

... Petitioner

Vs

1.The Superintendent Engineer (Distribution),
TANGEDCO,
Sivagangai,
Sivagangai District.

2.The executive Engineer (Distribution),
TANGEDCO,
Thiruppuvanam,
Sivagangai District.

3.The Assistant Engineer,
TANGEDCO,
Thiruppuvanam West,
Thiruppuvanam,
Sivagangai District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned proceedings passed by the third respondent vide Ka.No.VuMiPo/Pa/May/Thi.Vanam/Koo.Pathukaapu/A.No.22/21 dated



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16.02.2021 and quash the same as illegal and arbitrarily and further to direct the respondents to shift the existing service connection to newly constructed residence building situated at Sri Vasantham Nagar, Near Tamilnadu Electricity Board, Thiruppuvanam, Sivagangai District.

For Petitioner : Mr.K.C.Ramalingam

For Respondents : Mr.S.Deenadhayalan
Standing Counsel

ORDER

Heard the learned counsel on either side.

2.The petitioner had constructed a house at the petition mentioned site. The petitioner wants the service connection to be treated under tariff I-A(Domestic Service Connection). The third respondent has taken the stand that since a high tension overhead line has been drawn nearby and there is no clearance, it is not possible to accept the petitioner's request. To this effect, the impugned order was passed.

3.I cannot appreciate the stand taken by the respondents. It is not as if the petitioner on her own built the house in an illegal manner. Without planning approval, the petitioner could not have put up the construction. Local body has given planning approval. The petitioner asserts that the construction is as per the approval. To enable the construction activities, the petitioner was



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also given temporary connection. Without temporary connection having been given by the TANGEDCO, the construction could not have put up at all. All that the petitioners wants is conversion of the temporary connection into regular domestic service connection. No exception can be taken to the said request. The petitioner shall however file appropriate affidavit as demanded by the respondents. Upon execution of such affidavit as may be required by the respondents, the respondents are directed to convert the existing temporary service connection into domestic service connection.

4.This writ petition is allowed on these terms. There shall be no order as to costs.

12.01.2023

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

To

- 1.The Superintendent Engineer (Distribution),
TANGEDCO,
Sivagangai, Sivagangai District.
- 2.The executive Engineer (Distribution),
TANGEDCO,
Thiruppuvanam,
Sivagangai District.



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3.The Assistant Engineer,
TANGEDCO,
Thiruppuvanam West,
Thiruppuvanam,
Sivagangai District.

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