



W.P(MD)No.28140 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.11.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.28140 of 2023

AR Kannapan

... Petitioner

Vs.

1.The Superintendent Engineer,
TANGEDCO,
Pudukkottai Circle,
Pudukkottai.

2.The Assistant Engineer,
TANGEDCO (O & M)North,
Viralimalai Post,
Ilupur Taluk,
Pudukkottai District.

3.The Executive Engineer,
TANGEDCO,
Keeranur Post,
Kulathur,
Pudukkottai.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents to consider his representation dated 07.03.2023 and issue electricity connection for motor pumpset for the agricultural well in S.No.178/8C3, Vanathirayanpatty Village, Ilupur Taluk, Pudukkottai District.



For Petitioner : Mr.K.Prabhakar
For Respondents : Mr.S.Deenadhayalan

ORDER

Heard the learned counsel for the petitioner and the learned standing counsel for TANGEDCO.

2. The petitioner wants the electricity service connection for the petition mentioned agricultural well. The respondents have not processed the application given by the petitioner on the ground that the petitioner has not obtained NOC / consent from his brother/Arumugam. The said Arumugam has not been made as a party. When I queried the learned counsel for the petitioner in this regard, it is submitted that the issue had already been resolved before the Lok Adalat. My attention is drawn to the award dated 14.07.2018 passed by the Lok Adalat. Arumugam / petitioner's brother had filed O.S.No.95 of 2011 on the file of the District Munsif Court, Keeranur seeking the relief of declaration with respect to the petition mentioned survey number. The case was referred to the Lok Adalat. In the Lok Adalat award, the matter was compromised. The petitioner's brother had agreed not to raise objection for the petitioner to get the petition mentioned service connection.

3. I am therefore satisfied that the authorities are not justified in insisting on consent from Arumugam / petitioner's brother. In any event, to satisfy the



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respondents, the petitioner shall execute an indemnity bond as per Distribution code. The petitioner shall comply with the usual formalities. The respondents are directed to give electricity connection for the petition mentioned agricultural well immediately and without any delay. The petitioner through his counsel gives an undertaking that he will submit an online application.

4. The Writ Petition is allowed on these terms. No costs.

29.11.2023

Index : Yes / No
Internet : Yes/ No
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G.R.SWAMINATHAN, J.

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