



WEB COPY



W.P.No.6381 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 20.03.2024

CORAM

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

W.P.No.6381 of 2021

S.Thulasimani

... Petitioner

vs.

1.The Chairman (Superintendent Engineer)(O & M)
TANGEDCO,
Coimbatore Electricity Division Circle,
Coimbatore 641 012.

2.The Executive Engineer (O&M)
TANGEDCO, Coimbatore Electricity Division
Circle/South, Somanur, Coimbatore 641 068.

3.The Village Administrative Officer,
O.Naranapuram Village,
Annur Taluk, Coimbatore.

4.Sundarammal

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus to call for the record of the 2nd respondent under Letter No.D.No.EE / Po / E and P / STU / C/ VSA / A.No.04169 /2020 dated 11/11/2020and quash the same and direct the 2nd respondent to grant Electricity Service Connection to the land situated in SF.No.51 and 52 measuring an extent 2.50 acre of agricultural land in Narnapuram village of Coimbatore District in the Court.



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For Petitioners : Mr.T.R.Gayathri
For RR1 and 2 : Mr.L.Jaivenkatesh
Standing Counsel
For RR3 and 4 : No appearance

ORDER

Challenging the rejection order of the 2nd respondent for grant of electricity service connection to the petitioner's agricultural lands, this writ petition is filed. The writ petitioner also seeks for a direction to the 2nd respondent to grant electricity service connection to her land.

2. It is averred in the Writ Petition that the petitioner's father owned the property in S.F.No.51 and 52 measuring an extent of 2.50 acre of agricultural land in O.Naranapuram Village, Coimbatore District. He executed a Settlement Deed in favour of the petitioner on 18.12.2002. The petitioner is in peaceful possession of the said property. While so, the petitioner's aunt/sister of the petitioner's father / 4th respondent herein filed a Suit in O.S.No.1704/2015, on the file of the Principal District Munsif Court, Coimbatore, claiming partition with regard to properties of petitioner's father including the agricultural land viz., the property in question.

3. It is further averred in the writ petition that the petitioner



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approached the respondent-TANGEDCO for electricity service connection vide application dated 16.10.2020. However, the 2nd respondent rejected the said application stating about the pendency of O.S.No.1704 of 2015 and the objections raised by the opposite party who filed suit.

4. The learned counsel for the petitioner submitted that O.S.No.1704 of 2015 was withdrawn by the 4th respondent and the suit was dismissed as not pressed. Therefore, this Court may permit the petitioner to make fresh application to the respondents 1 and 2 for grant of electricity service connection.

5. The learned Standing counsel appearing for Respondents 1 and 2- TANGEDCO would submit that since the suit has been dismissed as withdrawn, if fresh application is submitted by the petitioner along with substantive documents, the same will be considered and necessary orders will be passed.

6. In view of the subsequent development, this court directs the petitioner to make fresh application before the respondents 1 and 2 seeking electricity service connection. As and when such application is



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received along with substantive documents, the same may be considered and respondents 1 and 2 shall pass necessary orders for grant of electricity connection to the petitioner's agricultural lands.

7. This Writ Petition is disposed of in the above terms. No costs.

Consequently, connected Miscellaneous petition is closed.

20.03.2024

sk/nvsri

To

1.The Chairman (Superintendent Engineer)(O & M)
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2.The Executive Engineer (O&M)
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J.NISHA BANU, J.

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