



W.P.No.8848 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.04.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.8848 of 2022

Annaiyan

...Petitioner

-Vs-

1. The Executive Engineer,
O & M, TANGEDCO,
Rajambal Nagar, Kallakurichi Taluk,
Kallakurichi District.
2. The Assistant Divisional Engineer,
TNEB,
Chinnasalem Taluk, Kallakurichi District.
3. The Assistant Engineer,
TNEB, Execution and Maintenance,
Thotiyam Village, Chinnasalem Taluk,
Kallakurichi District.
4. The Assistant Executive Engineer,
TNEB,
Chinnasalem Post, Kallakurichi Taluk.
5. The Tahsildar,
Kallakurichi Taluk, Kallakurichi District.
6. The Village Administrative Officer,
No. 65 Bangaram Village,
No. 66, Namasivayapuram, Kallakurichi Taluk,
Kallakurichi District.

...Respondents



W.P.No.8848 of 2022

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents 1 to 4 to process the application No.141/2014-15 dated 05.09.2014 submitted by the petitioner and consequently provide agricultural service to the water well situated in Survey No.143/9, Bangaram Village, Kallakurichi Taluk, Kallakurichi District, within a fixed time frame.

For Petitioner : Mr.A.K.Rajaraman

For R1 to R4 : M/s.Danial Mary
Standing Counsel

For R5 and R6 : Mr.E.Vijay Anand
Additional Government Pleader

ORDER

This Writ Petition has been filed for the issuance of Writ of Mandamus, directing the respondents 1 to 4 to process the application No.141/2014-15 dated 05.09.2014 submitted by the petitioner and consequently provide agricultural service to the water well situated in Survey No.143/9, Bangaram Village, Kallakurichi Taluk, Kallakurichi District, within a fixed time frame.



W.P.No.8848 of 2022

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2. Heard the learned counsel on either side and perused the materials available on record.

3. The petitioner owned agricultural land ad-measuring 56.50 ares comprised in S.No.143/9 situated at Bangaram Village, Kallakurichi Taluk, Kallakurichi District. The petitioner was also issued patta. The property was allotted in favour of the petitioner by the State Government of Tamil Nadu under the special scheme of Distribution of Waste lands to the Families of Landless Poor Agriculturist, 2006, by its proceedings dated 22.03.2010. The petitioner had dugged up the well and applied for electricity services connection for agricultural purpose. Therefore, the petitioner submitted an application, on 05.09.2014 and it is still pending.

4. The learned counsel for the third respondent filed counter and submitted that the petitioner ought to have obtained No Objection Certificate for providing electricity services connection from one Santhanam, who represents that Well is commonly situated in both the S.Nos.143/4 and 143/9, in which the land comprised in S.No.143/4



W.P.No.8848 of 2022

belongs to the said Santhanam. In fact, for the very same Well, the said Santhanam obtained electricity connection in 565-010-360. That apart, objections were raised by one Jayaraman, by the legal notice stating that he is the brother of the petitioner and he is also an owner of the said land and he filed a suit in O.S.No.389/2020, on the file of the Principal Sub Court, Kallakurichi as against the petitioner and another brother. Therefore, on receipt of the said objections, the third respondent called upon the petitioner to submit the revenue documents in his favour. So far, the petitioner did not produce any documents to show that he is the only owner of the subject land. Therefore, the application submitted by the petitioner seeking electricity service connection is still pending.

5. In view of the above, the petitioner is directed to submit all the revenue documents to show that he is the absolute owner of the property comprised in S.No.143/9, situated at Bangaram Village, Kallakurichi Taluk, Kallakurichi District. On receipt of the same, the third respondent is directed to issue notice to the counter parties viz., the petitioner's brother Jayaraman and one Santhanam who owned the property



W.P.No.8848 of 2022

comprised in S.Nos.143/4 and 143/9, and conduct enquiry and pass appropriate orders on the application submitted by the petitioner seeking electricity service connection for his agricultural land comprised in S.No.143/9 situated at Bangaram Village, Kallakurichi Taluk, Kallakurichi District, within a period of twelve weeks from the date of receipt of a copy of this order.

6. With the above directions, this writ petition is disposed of. No costs.

22.04.2024

Internet: Yes

Index : Yes/No

Neutral Citation: Yes/No

Speaking/Non Speaking order

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W.P.No.8848 of 2022

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