



W.P. No.13749 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.05.2024

CORAM

THE HONOURABLE MR.JUSTICE N. SENTHILKUMAR

W.P. No.13749 of 2024

and

W.M.P. No.14917 of 2024

J. Arivumalar

... Petitioner

Vs.

1. The Chairman,
Tamil Nadu Electricity Board,
Tamil Nadu Generation and
Electricity Distribution Corporation Ltd.,
Anna Salai,
Chennai – 600 002.

2. The Assistant Electrical Engineer (O & M),
Tamil Nadu Generation and
Electricity Distribution Corporation Ltd.,
Tamil Nadu Electricity Board,
Tiruppur Electricity Distribution Circle,
R.V.E. Nagar,
Nallur,
Tiruppur,
Tiruppur District.

3. The Executive Officer,
Arulmigu Visveswara Swamy Temple,
Nallur,
Tiruppur.

... Respondents



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Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the second respondent to give electricity service connection to the petitioner's house situated in S.F. No.165, Nallur Village, Tiruppur Taluk & District in Door No.5/1, Amarjothi Pon Nagar, Maniakarampalayam Road, Nallur, Tiruppur.

For Petitioner : Mr.C. Prakasam

For Respondents : Mr.L. Jai Venkatesh

Standing Counsel for TANGEDCO

ORDER

This writ petition has been filed for Mandamus seeking for a direction to the 2nd respondent to given electricity service connection to the petitioner's house situated in S.F. No.165, Nallur Village, Tiruppur Taluk & District in Door No.5/1, Amarjothi Pon Nagar, Maniakarampalayam Road, Nallur, Tiruppur.

2. Heard Mr.C. Prakasam, learned counsel for the petitioner. Mr.L. Jai Venkatesh, learned Standing Counsel accepts notice on behalf of the respondents. By consent of both the parties, this writ petition has been taken up for final disposal at the admission stage itself.

3. It is averred in the petition that subsequent to purchase of a house site, the petitioner has submitted an application along with other requisite documents



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before the 2nd respondent seeking for electricity service connection. It is further stated that based on the objections raised by the 3rd respondent without passing any written order, the 2nd respondent has cancelled the petitioner's request for electricity service connection, orally. Hence, the instant petition has been filed with the aforesaid prayer.

4. Learned counsel for the petitioner brought the attention of this Court to the order dated 14.03.2017 in W.P. Nos.36201 to 36203 of 2016, wherein similarly placed persons like that of the petitioner were granted electricity service connection based on the applications made by the petitioners therein. Therefore, he prays before this Court that the same benefit may be extended to this petitioner herein as well.

5. Learned Standing Counsel appearing for the respondents submitted that due to objections raised by the 3rd respondent, the electricity service connection has not been provided and he seeks for issuance of appropriate directions from this Court.

6. It is evident that there is a dispute between the petitioner and the 3rd respondent. Moreover, one cannot claim ownership / title, if electricity service connection is provided. When such being the position, this Court directs the 2nd respondent to provide electricity service connection to the petitioner's house site



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situated in S.F. No.165, Nallur Village, Tiruppur Taluk & District in Door No.5/1, Amarjothi Pon Nagar, Maniakarampalayam Road, Nallur, Tiruppur, after obtaining necessary indemnity bond from the petitioner. The said exercise of providing of electricity connection shall be done, within a period of six weeks from the date of receipt of a copy of this order.

7. With the aforesaid directions, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

16.05.2024

Index: Yes/No
Internet: Yes/No
Speaking Order/Non-Speaking Order
vsi2

To
1. The Chairman,
Tamil Nadu Electricity Board,
Tamil Nadu Generation and
Electricity Distribution Corporation Ltd.,
Anna Salai,
Chennai – 600 002.



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2. The Assistant Electrical Engineer (O & M),
Tamil Nadu Generation and
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R.V.E. Nagar,
Nallur,
Tiruppur,
Tiruppur District.

3. The Executive Officer,
Arulmigu Visveswara Swamy Temple,
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N. SENTHILKUMAR, J.

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