



W.P.No.21282 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 29.07.2024

CORAM

THE HONOURABLE **DR. JUSTICE ANITA SUMANTH**

W.P.No.21282 of 2024

P.S.Ponnuswamy

.... Petitioner

Vs

1.The Superintending Engineer,
Tamil Nadu Generation and Distribution Corporation Ltd.,
Gobi Electricity Distribution Circle,
Erode – 638 009.

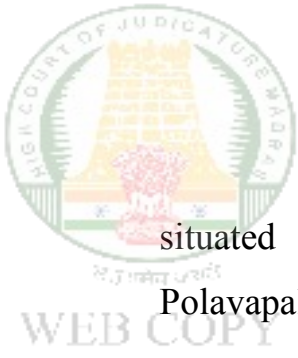
2.The Assistant Executive Engineer,
Operation and Maintenance,
TANGEDCO,
Nambiyur,
Erode – 638 458.

3.The Assistant Engineer,
Operation and Maintenance,
TANGEDCO,
Nambiyur/West,
Nambiyur – 638 458.

4.The Block Development Officer,
(Village Panchayat), Nambiyur
Nambiyur – 638 458.

.... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents 1 to 3 to shift the Agricultural Electricity Service Connection No.31700815 from the WELL



W.P.No.21282 of 2024

situated at Survey No.154/2 to the WELL situated at Survey No.118/4,
Polavapalayam Village, Nambiyur Taluk, Erode District.

For Petitioner : Mr.K.Sasindran

For Respondent : Mr.I.Syed Sibghatulla (R1 to R3)
Ms.P.Sridevi Pradeep (R4)
for Mr.VPR.Elamparithi

ORDER

Mr.I.Syed Sibghatulla, learned counsel accepts notice for R1 to R3 and Ms.Sridevi Pradeep, learned counse on behalf of Mr.VPR.Elamparithi, learned counsel accepts notice for R4. They are armed with instructions to enable a final disposal of this Writ Petition, even at the stage of admission.

2. The petitioner seeks a mandamus directing the officials of the Tangedco, Erode to shift the agricultural electricity service connection bearing No.31700815 from the Well situated at S.No.154/2 to the Well situated at S.No.118/4, Polavapalayam Village, Nambiyur Taluk, Erode District ('property'/'property in question').

3. The petitioner has also made a representation dated 02.08.2023 before R3 making the same request. Inspection had been carried out thereafter and according to the averments in paragraph 5 of the Writ affidavit, R4 had conducted inspection and found that the distance between the public bore well and the Well situated in the property in question is 219 meters. Per the prevailing the Rules, according to the petitioner, if the public bore well is



W.P.No.21282 of 2024

situated more than 100 meters from the proposed Well, then electricity service connection would have to be provided. It is on this premise that the petitioner seeks insistence upon the request made in representation dated 02.08.2023.

4. The petitioner is aggrieved by the fact that despite a factual finding that the distance between the public bore well and the Well situated in the property in question is 219 meters, no action has been taken thus far.

5. Since the appropriate authority is the Assistant Engineer, Operation and Maintenance, Tangedco/R3, mandamus is issued to R3 to hear the petitioner, consider the result of the inspection conducted by the authorities, obtain inputs from any other officials, if necessary, and pass orders on the application of the petitioner dated 02.08.2023, in accordance with law and all extant rules and regulations, within a period of four (4) weeks from date of receipt of a copy of this order.

6. This Writ Petition is disposed as above. No costs.

29.07.2024

Index : Yes / No

Speaking order: Yes

Neutral citations: Yes

sl



WEB COPY



W.P.No.21282 of 2024

Dr.ANITA SUMANTH,J.

sl

To

- 1.The Superintending Engineer,
Tamil Nadu Generation and Distribution Corporation Ltd.,
Gobi Electricity Distribution Circle,
Erode – 638 009.
- 2.The Assistant Executive Engineer,
Operation and Maintenance,
TANGEDCO,
Nambiyur,
Erode – 638 458.
- 3.The Assistant Engineer,
Operation and Maintenance,
TANGEDCO,
Nambiyur/West,
Nambiyur – 638 458.
- 4.The Block Development Officer,
(Village Panchayat), Nambiyur
Nambiyur – 638 458.

W.P.No.21282 of 2024

29.07.2024