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W.P.Nos.20805 of 2023 & 22030 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.09.2024

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THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.Nos. 20805 of 2023 & 22030 of 2021

and

W.M.P.No. 23251 of 2021

W.P.No.20805 of 2023

T.Arul Vedi

... Petitioner

Vs.

- 1.The Public Information Officer,
O/o. The Executive Engineer,
TANGEDCO LTD Pochampalli,
Dharmapuri Main Road,
Pochampalli Taluk,
Krishnagiri District - 635206.
- 2.The First Appellate Authority,
O/o. The District Information Officer,
The Superintending Engineer Office,
TANGEDCO LTD, Wahab Nagar,
Krishnagiri District - 635001.
- 3.The State Information Commissioner,
The Tamil Nadu State Information Commission,
Block No.19, Government Farm Village,
Panepet, Nandanam, Chennai - 600 035.



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4.Vedi

... Respondents

(R4-impleaded as per order dated 20.12.2023
in WMP.25795/2023 in WP.20805/2023 by PDAJ)

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PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the first respondents to furnish information and permanent maintained documents as per the application dated 13.04.2021 made under Section 6(1) of the Right to Information Act, 2005 and also to comply order dated 17.05.2022 Case Number: SA10518/C/2021 by the Hon'ble Appellate Authority, State Information Commissioner, and to take appropriate measures to furnish information as per the application dated 13.04.2021 made under Section 6(1) of the Right to Information Act, 2005.

For Petitioner : Mr.T.Arul Vedi (Party-in person)

For Respondents : Mr.S.Madhusudhanan
Standing Counsel for R1 & R2
Mr.C.Vigneswaran for R3
Mr.K.Thiruvengadam for R4

W.P.No. 22030 of 2021

Vedi

...Petitioner

Vs.



W.P.Nos.20805 of 2023 & 22030 of 2021

1.The Divisional Engineer,
TANGEDCO, Krishnagiri,
Krishnagiri District.

2.The Executive Engineer,
TANGEDCO, Pochampalli,
Krishnagiri District.

3.Mariammal

4.T.Arul Vedi ...Respondents
(R4 - impleaded vide Order dated 18.03.2024 made
in WMP.NO.34676 / 2023 in WP.NO.22030/2021)

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records in connection with impugned proceedings in Ka.Na.SePo/EPa/ThoNuVu.2/Ko.Complaint/No.120/2021 dated 06.09.2021 issued by the 2nd respondent and quash the same.

For Petitioner : Mr.K.Thiruvengadam

For Respondents : Mr.S.Madhusudhanan
Standing Counsel for R1 & R2
Mr.T.Arul Vedi - Party-in-person for R4

COMMON ORDER

The Writ Petition in W.P.No.22030 of 2021 has been filed



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challenging the order passed by the 2nd respondent thereby, directed the petitioner to submit the document for transfer of electricity service connection No.136-011-150/3HP situate in Survey No.116/1, Periyakottakulam Village, Uthangarai Taluk, Krishnagiri District, failing which, the electricity service connection will be disconnected.

2. W.P.No.20805 of 2023 has been filed for direction, directing the 1st respondent to furnish the information sought for under Right to Information Act as per the application dated 13.04.2021.

3. The petitioner in W.P.No.20805 of 2023 is the 4th respondent in W.P.No.22030 of 2021(herein after called the 4th respondent). Likewise, the petitioner in W.P.No.22030 of 2021 is the 4th respondent in W.P.No.20805 of 2023(herein after called the petitioner).

4. The petitioner's father owned agricultural land comprising in Survey No.116/1 measuring to an extent of 53 cents at Periyakottakulam Village, Uthangarai Taluk, Krishnagiri District. He was also issued Patta No.740 jointly with his sister, namely, 3rd respondent / Mariammal. She is



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in possession and enjoyment of the land ad measuring 41 cents in the very same survey number. Subsequently, the petitioner's father had executed a settlement deed in favour of the petitioner and his brother. In the said land, there is a Well with electricity motor pumpset bearing connection No.136-011-150/3HP in the name of the petitioner's father.

5. While being so, the 3rd respondent and her men disturbed the possession and enjoyment of the subject property by the petitioner and his brother. Therefore, the petitioner was constrained to file a suit in O.S.No.6 of 2020 on the file of the District Munsif Court, Uthangarai and the same is pending for adjudication. While being so, the 3rd respondent raised objection to have the electricity service connection in her land and also submitted documents to that effect. Therefore, the petitioner's father was directed to submit original documents in order to sustain the electricity service connection within a period of 15 days, failing which, the electricity service connection will be disconnected.

6. In the meanwhile, the 4th respondent submitted application an under Section 6 Sub-section (1) of the Right to Information Act to the 1st



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respondent seeking information regarding the applications received for new service connection, sanction order along with copy of service connection register and test reports, agreements, if any for the service connections Nos. 08136011148, 08136011150, 08136011151, 08136011005 and 08136011006. Though some of the information have been provided to the 4th respondent, in respect of the applications seeking electricity service connection which were submitted in the year 1996 are not available in the office of the 1st respondent. If the direction issued by the 1st respondent complied with by the petitioner, the information sought for by the 4th respondent can be answered by the Information Officer.

7. In view of the above, the petitioner is directed to produce revenue records to show his ownership over the said land and retain the electricity service connection in 136-011-150/3HP comprised in Survey No.116/1 Periyakottakulam Village, Uthangarai Taluk, Krishnagiri District within a period of four weeks from the date of receipt of a copy of this order. If documents are not produced by the petitioner, the 2nd respondent / Executive Engineer, TANGEDCO, Pochampalli, Krishngiri District is at liberty to take appropriate action in accordance with law.



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WEB COPY 8. Both these Writ Petitions are disposed of with the above directions.

No costs. Consequently, connected miscellaneous petition is closed.

25.09.2024

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Internet : Yes/No

Index : Yes/No

Speaking order: Yes/No

Neutral Citation: Yes/No

To

1.The Executive Engineer,

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TANGEDCO LTD Pochampalli,
Dharmapuri Main Road,
Pochampalli Taluk,
Krishnagiri District - 635206.

- 2.The District Information Officer,
The Superintending Engineer Office,
TANGEDCO LTD, Wahab Nagar,
Krishnagiri District - 635001.
- 3.The State Information Commissioner,
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- 4.The Divisional Engineer,
TANGEDCO, Krishnagiri,
Krishnagiri District.
- 5.The Executive Engineer,
TANGEDCO, Pochampalli,
Krishnagiri District.

G.K.ILANTHIRAIYAN, J.

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