



WEB COPY



W.P.No.21685 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.08.2024

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THE HONOURABLE MR.JUSTICE **M.DHANDAPANI**

W.P.No.21685 of 2022

P.Mahalakshmi

...Petitioner

Vs.

1. The Chairman,
Tamil Nadu Electricity Board,
No.144, Anna Salai, Chennai - 600 002.

2. The Executive Engineer (O & M),
TANGECCO Arni Division,
Saidapet, Arni, Tiruvannamalai District.

...Respondents

Petition filed Under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus directing the respondent to consider the application for agricultural electricity service connection in Application No.DAP No.10997, dated 30-12-1992 on the file of the 2nd respondent in accordance with provisions of Electricity Act, 2003 and extend the electricity service connection within the time to be fixed by this Hon'ble Court.

For Petitioner : Mr.M.Venkatakrishnan

For Respondents : Mrs.Daniel Mary

ORDER



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This Writ petition has been filed seeking direction to the respondents to consider and pass orders on the application No.DAP No.10997 dated 30-12-1992 on the file of the 2nd respondent, seeking agricultural electricity service connection.

2. The case of the petitioner is that originally the petitioner's father-in-law namely C.Pachiyappan purchased the agricultural lands measuring an extent of Acre 2.62 cents and open well comprised in S.Nos.145, 146/2 & 146/1 at Su. Katteri village, then Vandavasi Taluk, now Chetpet Taluk under a registered sale deed dated 24.08.1992 and in the same year he had applied for an agricultural electricity service connection to the well situated in S.No.146/2 along with necessary records in Application No. DAP NO.10997 dated 30.12.1992 before the 2nd respondent. While so, as the petitioner's father in law had committed default in payment of the Mortgage loan obtained from one Ayyiammal against the above said agricultural lands, a civil suit has been filed by her for recovery of the mortgage amount and the above properties were brought to public court auction in execution proceedings for realization of the mortgage loan. After long drawn legal proceedings between the parties, the court proceedings were amicably settled in the year 2020 and in pursuance of



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the terms and conditions of the settlement, the properties were once again repurchased by the petitioner under the registered sale deed bearing Doc.No.1902 of 2020 dated 14.12.2020 and the transfer of title has also been duly recognized by the revenue authorities and patta, chitta and adangal has been issued in my name. Though, the petitioner's father in law, the original applicant gave a written consent expressing his consent and willingness to transfer the above application for agricultural service connection bearing Application No.DAP No.10997 dated 30.12.1992 in the petitioner's name and though the petitioner approached the 2nd respondent on 03.06.2022 and submitted a detailed representation seeking to consider the request for name transfer in the application for agricultural service connection and to consequently effect agricultural service connection to the said lands, however, till date, no order has been passed on the said application, which was made in the year 1992. Hence, this Writ petition.

3. Heard learned counsel on either side and perused the material documents placed on record.



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4. Though very many grounds have been raised by the learned counsel on either side, at the time of arguments, the learned for the petitioner restricted the prayer and sought liberty of this Court to make fresh application seeking agricultural electricity service connection through Takkal system. Learned counsel appearing on behalf of the respondents have no objection for the limited request made by the learned counsel for the petitioner.

5. In view of the limited request made by the learned counsel for the petitioner, this Court without going into the merits of the case, permits the petitioner to make fresh application before the respondents seeking agricultural electricity service connection either through Takkal system or in regular course within a period of two weeks from the date of receipt of a copy of this order and upon receipt of such application, the respondents shall consider the same on merits and in accordance with law and pass appropriate orders within a period of two weeks thereafter, after affording an opportunity of hearing to the petitioner.



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6. With the aforesaid directions, this Writ Petition stands disposed

of. No costs.

20.08.2024

skt

NCC : Yes/No

Index : Yes / No

Speaking Order : Yes / No

To

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