



WP.No.24579 of 2024

In the High Court of Judicature at Madras

Dated : 28.8.2024

Coram :

The Honourable Mr.Justice M.DHANDAPANI

Writ Petition No.24579 of 2024 &
WMP.Nos.26898 & 26900 of 2024

Muniammal

...Petitioner

Vs

1.The Superintending Engineer,
Tiruvannamalai EDC,
Tiruvannamalai.

2.The Assistant Engineer,
Town/West/Tiruvannamalai,
Tiruvannamalai EDC,
Tiruvannamalai.

...Respondents

PETITION under Article 226 of The Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus to call for the records in impugned proceedings in KA.No.OO.MI.PO/E&PA/MAE/THI.MALAI/KO.MIN INAIPPU/A.NO.109/2023-24 dated 06.11.2023 on the file of the 2nd respondent herein, quash the same and consequently direct the respondents to provide electricity service connection without insisting no objection from the office of the Tahsildar.

For Petitioner : Mr.B.Manoharan



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ORDER

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This writ petition has been filed challenging the proceedings dated 06.11.2023, in and by which, the second respondent directed the petitioner to produce the no objection certificate from the Tahsildar concerned on the ground that the property, to which, the new electricity service connection was sought for, is a Government poramboke land.

2. Heard the learned counsel for the petitioner.

3. The case of the petitioner is as follows :

The petitioner is residing at door No.46/18.2, P.Gopuram, 10th Street, Tiruvannamalai for more than 30 years. Already, the petitioner had a connection. In the subject property, the petitioner made additional construction in the first floor and applied to the respondent Board on 09.10.2023 through online mode seeking for a new electricity service connection in the first floor. However, the application of the petitioner has been rejected by the second respondent by the impugned order without considering her possession for a long time. Hence, the petitioner is before this Court.



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4. The learned counsel for the petitioner submitted that the petitioner is residing in the subject property for more than three decades, that she has been paying the property tax and that without considering Regulation 27 of the Tamil Nadu Electricity Distribution Code, the impugned order has been passed.

5. This Court carefully considered the submissions of the learned counsel for the petitioner and perused the materials available on record and more particularly the impugned order.

6. It is seen from the impugned proceedings that the petitioner has not produced the title documents pertaining to the subject property as sought for by the respondent Board. Instead, the documents furnished by the petitioner are self generated documents. Without producing the necessary title documents or without producing the no objection from the jurisdictional Tahsildar, the petitioner straight away challenged the impugned order before this Court. However, in the considered view of this Court, liberty can be granted to the petitioner to approach the second respondent along with



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necessary title documents, if any.
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7. Accordingly, the writ petition is dismissed with the above observations. No costs. Consequently, the connected WMPs are also dismissed.

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Index : Yes (or) No
Neutral Citation : Yes (or) No



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