



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 17.10.2024

CORAM

WEB COPY

THE HON'BLE MR. JUSTICE M.DHANDAPANI

W.P.N0.30560 of 2024

P.Kandasamy

... Petitioner

Vs.

1. The Executive Engineer,
TANGEDCO
Dharapuram, Thiruppur District.

2. The Assistant Engineer,
TANGEDCO,
Palladam Division,
Gramiyam/Dharapuram,
Thiruppur District.

3. The Executive Engineer,
PWD, Nanganjiyaru Basin Division,
Palani, Dindigul District.

4. The Assistant Engineer,
PWD/WRD,
Amaravathi Basin Division,
Dharapuram, Thiruppur District.

..... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus to call for the records of the impugned order passed by the second respondent by his proceedings in letter No. [REDACTED] dated 26.09.2024 and quash the same as illegal and consequently direct the 3rd respondent to give no objection certificate and direct the second respondent to provide agriculture (Thatkal) Electricity service connection to the petitioner borewell in S.No.11/1A situated at Kongur Village, Dharapuram Taluk, Thiruppur District.



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For Petitioners

: Mr.J. Balameenakshi

For Respondents

: Mr. L.Jaivenkatesh RR1 & 2

Mr. L.SM Hasan Fizal, AGP RR3 & 4

ORDER

The writ petitioner seeks to quash the impugned order passed by the second respondent by his proceedings in letter No. dated 26.09.2024 and consequently direct the 3rd respondent to give no objection certificate and direct the second respondent to provide agriculture (Thatkal) Electricity service connection to the petitioner bore well in S.No.11/1A situated at Kongur Village, Dharapuram Taluk, Thiruppur District.

2. It is the case of the petitioners that the petitioner and one Palanisamy were jointly purchased the agricultural property from one Murali in the year 2014 in respect of S.No.11/1 to an extent of 1.95 acres at Kongur Village, Dharapuram taluk, Tiruppur District. After purchase, the petitioner has enjoyed the property with joint patta. The petitioner has decided to develop the agricultural field and put up bore well in the said property. After putting up bore well, the petitioner applied for electricity service connection before the first respondent on 16.10.2020. The first respondent has directed to get NOC from the 3rd respondent. After due enquiry, the third respondent has rejected the representation vide order dated 31.10.2022 stating that there was a complaint that the petitioner has misused the



dated 26.09.06.2024, has rejected to issue NOC for electricity connection.

Challenging the order passed by the second respondent dated 26.09.2024, the petitioner has filed the present writ petition.

3. The learned counsel for the petitioner submitted that he used the river water to save the coconut trees from the dryness. Under such circumstances, the petitioner has installed bore well and applied for the agriculture electricity connection. However, this Court, without going into the merits of the case, permit the petitioner to challenge the order passed by the second respondent dated 31.10.2022, in the manner known to law.

4. Heard the learned counsel for the petitioner as well as the learned Government Counsel appearing for the respondents and perused the materials available on record.

5. Considering the facts and circumstances of the case and in view of the limited request sought for by the petitioner, this Court grants liberty to work out his remedy in the manner known to law.

6. In the result, the writ petition is dismissed. No costs.



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M.DHANDAPANI .J.

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To

1. The Executive Engineer,
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Dharapuram, Thiruppur District.

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