

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.01.2024

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THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P(MD)No.1530 of 2024

Subramaniyan

... Petitioner

Vs

1.The Assistant Engineer,
Tamilnadu Electricity Board,
Madhagupatty,
Sivagangai District-630 553.

2.The Superintending Engineer,
Tamilnadu Electricity Board,
Collectorate Complex,
Sivagangai District-630 562.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to grant adequate power supply for agricultural land with Farm House of petitioner situated at SF Nos.36/3, 41/1, 41/3, 41/4 in Perungudi Village, Madhagupatty Sub-Registration District in Sivagangai District bearing patta No.1271 and 1281 comprising an extent of 12 acres bearing Electrical consumption No.05453008713 within the time as stipulated by this Court on the basis of the representation dated 09.12.2023.

For Petitioner : Mr.M.Saravanakumar
For Respondents : Mr.S.Deenadhayalan
Standing Counsel

ORDER

The Petitioner has filed this Writ Petition seeking a direction to the respondents to grant adequate power supply for agricultural land with Farm House of petitioner situated at SF Nos.36/3, 41/1, 41/3, 41/4 in Perungudi Village, Madhagupatty Sub-Registration District in Sivagangai District bearing patta No.1271 and 1281 comprising an extent of 12 acres bearing Electrical consumption No.05453008713 by considering the representation dated 09.12.2023.

2. Heard Mr.M.Saravanakumar, learned counsel appearing for the petitioner and Mr.S.Deenadhayalan, learned Standing Counsel appearing for the respondents.

3. By consent, this writ petition is disposed of at the admission itself.

4. According to the petitioner, he is the owner of the property through sale deed bearing Doc.No.858/2021, dated 30.06.2021 at Sub-Registrar of

Madhagupatty in Sivagangai District bearing Patta No.935 and 684 for the property situated at SF.Nos.36/3, 41/1, 41/3, 41/4, in Perungudi Village which is an agricultural land comprising an extent of 12 acres bearing Tamilnadu Electrical Consumption No.05453008713. He is using the electricity bore well and electrical house equipment, due to low voltage of power, he is not able to use even small fan and not able to draw water from his bore well. The petitioner has given several complaints. He relying upon Section 43 of the Electricity Act and stating that the authorities are empower to give supply of electricity to the premises, within one month after receipt of the application. Provided that where such supply requires extension of distribution mains, or commissioning of new sub-station, the distribution licensee shall supply the electricity to such premises immediately after such extension or commissioning or within such period as may be specified by the appropriate commission.

5. The learned Standing Counsel appearing for the respondents would submit that for constructing the house in the agricultural land electricity connection in TF-VI-453 008 713 was issued on 27.09.2022. It is only for the house usage. When they received the application, they inspected the property and found that R.Ph.205V Y.Ph-203 V, B.Ph.208V Voltage is there in the petitioner's electricity connection. The petitioner has put up a bore well 500 feet

away from the house service connection and by using separate wire connection for running the bore well and hence, there can be some kind of interruption in the connection. The petitioner has misused the Tariff. If the petitioner is willing to get the connection for agricultural purpose, he has to give the application and get the connection according to the regulations.

6. It is seen from the instructions received from the Assistant Engineer, TANGED CO., Ltd., Madagupatty that the petitioner has misused the house service connection to the agricultural field. Hence, this writ petition is dismissed. It is left open to the petitioner to approach the authorities for getting necessary changes in the electricity service connection. No costs.

29.01.2024

Index : Yes/No
Internet: Yes/No
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V.BHAVANI SUBBAROYAN, J.

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