

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 11.03.2024****CORAM****THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN****W.P.(MD)No.4613 of 2024**

Esakki Muthu

... Petitioner

Vs.

1. The District Collector,
Virudhunagar District,
Virudhunagar.
2. The Superintending Engineer,
TANGEDCO, Virudhunagar,
Virudhunagar District.
3. The Executive Engineer,
TANGEDCO, Rajapalayam,
Rajapalayam Taluk,
Virudhunagar District.
4. The Assistant Executive Engineer,
TANGEDCO (Distribution),
Seithur, Rajapalayam Taluk,
Virudhunagar District.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 2 to 4 to shift the Heavy Voltage Electric Wire which crossing the petitioner land in Nos. 401/6A, 401/15, 411/1, 411/3 and 411/7 with an extent of 4.35 acres situated at Mettupatti, Indra Colony, Seithur Village, Rajapalayam Taluk, Virudhunagar District and thereby to give electricity connection in the petitioner's land based on his representation dated 14.02.2024.



For Petitioner : Mr.S.Muniyandi
For R-1 : Mr.K.S.Selvaganesan,
Additional Government Pleader.
For R-2 to R-4 : Mr.S.Deenadhayalan,
Standing counsel.

* * *

ORDER

Heard both sides.

2. The petitioner making request is twofold. He wants heavy voltage overhead lines to be shifted. The petitioner is relying on the order dated 10.03.2023 passed by the Tamil Nadu Consumer Grievance Redressal Forum, Virudhunagar in this regard.

3. The petitioner was assigned the land in the year 1982. Overhead lines have been running even before the assignment order was made. Therefore, the petitioner cannot demand as a matter of right that the overhead lines should be shifted or re-aligned. The rejection order is reasonable. At the same time, the petitioner's prayer for providing with electricity service connection cannot be rejected. Electricity is a fundamental amenity.



4. The respondents 2 to 4 are therefore directed to make appropriate arrangement if necessary by relaxation of the relevant norms so that the petitioner is given electricity service connection. The petitioner shall submit an online application in this regard. The petitioner belongs to Scheduled Caste community. The said application shall be honoured subject to fulfilment of the other usual formalities. This writ petition stands partly allowed. No costs.

11.03.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
PMU

To:

1. The District Collector,
Virudhunagar District, Virudhunagar.
2. The Superintending Engineer,
TANGEDCO, Virudhunagar, Virudhunagar District.
3. The Executive Engineer,
TANGEDCO, Rajapalayam, Rajapalayam Taluk,
Virudhunagar District.
4. The Assistant Executive Engineer,
TANGEDCO (Distribution), Seithur, Rajapalayam Taluk,
Virudhunagar District.

G.R.SWAMINATHAN,J.



WEB COPY



4

W.P.(MD)NO.4613 OF 2024

PMU

W.P.(MD)No.4613 of 2024

11.03.2024