



W.P(MD)No.10485 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.04.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.10485 of 2024

and

W.M.P.(MD)Nos.9428 & 9429 of 2024

Arulrajan

... Petitioner

Vs.

1.The Executive Engineer (Distribution)

TANGEDCO,

Valliyoor,

Nanguneri Taluk,

Tirunelveli.

2.The Assistant Engineer (Distribution)

TANGEDCO

Eruvadi,

Nanguneri Taluk,

Tirunelveli.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order passed by the second respondent vide proceedings க.எண்.இ.மி.பொ/விநி/ஏர்வாடி/கோ.கட்டு/அ.எண்.289/ நாள் 24.12.2023 and quash the same as illegal and unconstitutional, consequently direct the respondents to restore the agricultural free service connection No. 076-002-262/5HP attached with the Well available in S.No.694/2 and 694/3 of



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Puliyurkurichi Village, Nanguneri Taluk, Tiruenlveli District within a time stipulated by this Court.

For Petitioner : Mr.S.Balamurugan

For Respondents : Mr.S.Deenadhayalan

ORDER

Heard both sides.

2. The petitioner is the owner of the petition mentioned land. He had let out the same in favour of one Esakiappan. He had unauthorizedly put up electric fence. One local farmer was injured as a result. In this regard, FIR was registered and charge sheet has also been filed.

3. TANGEDCO officials upon going to know of the same disconnected the supply of electricity. The petitioner states that the lease was terminated and the petitioner has resumed the land. He now seeks restoration of the free electricity service connection.

4. I am of the view that for the act committed by the lessee, the lessor need not suffer. I therefore direct the respondents to restore the petition mentioned service connection. The petitioner will have to pay the necessary



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charges for re-connection. He also may have to execute the indemnity bond as may be required by the second respondent. The second respondent will intimate the petitioner about the formalities to be complied with by the petitioner. This shall be done by the second respondent within two weeks from the date of receipt of a copy of this order. Upon the petitioner fulfilling the same, the service connection shall be restored.

5. The Writ Petition is allowed on these terms. No costs. Consequently, connected miscellaneous petitions are closed.

26.04.2024

Index : Yes / No
Internet : Yes/ No
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G.R.SWAMINATHAN, J.

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