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W.P.(MD)NO.10681 OF 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 05.06.2024

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.10681 of 2024 AND
W.M.P.(MD)No.9560 of 2024

S.Joseph

... Petitioner

Vs.

1. The Assistant Engineer, Distribution,
Tamil Nadu Generation and Distribution
Corporation Limited(TANGEDCO),
Tamil Nadu Electricity Board,
Killiyoor, Tholayavattam,
Kanyakumari District.

2. The Inspector of Police,
Karungal police station,
Vilavancode Taluk,
Kanyakumari District.

(R-2 is suo motu impleaded vide order dated 05.06.2024)

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order passed by the respondent in Ka.No.Vu.Po./Vi/Kil/Ko.Pu.Mi.E/A.No.243/24 dated 12.04.2024 and quash the same and consequently direct the respondent to provide electricity connection to the petitioner's property situated at Re.Sy.No.135/15(presently 135/15A), Elavuvilai, Killiyoor B Village, Killiyoor Town Panchayat, Vilavancode Taluk, Kanyakumari District.



For Petitioner : Mr.T.Arul
For R-1 : Mr.S.Deenadhayalan,
Standing counsel.
For R-2 : Mr.A.Albert James,
Government Advocate.
* * *

ORDER

Heard both sides.

2. The petitioner applied to TANGEDCO for being provided with electricity service connection for the petition mentioned property. TANGEDCO commenced the works in response thereto. On account of objections from the local people, the connection could not be provided. I wanted to know from the learned Standing counsel if lines are to be drawn only over the public road or if the lines are to be drawn over the private lands. It is submitted that there are existing poles and the line will be drawn only over the pathway and not over the patta land. If no rights of the third party are involved, there is no justification in succumbing to the objections.

3. I therefore direct the second respondent to provide police protection for carrying out the petition mentioned works by the first respondent. The first respondent is directed to provide electricity service



connection to the petitioner within a period of eight weeks from the date of receipt of a copy of this order. On request from the first respondent, it is the duty of the second respondent to afford police protection to ensure that the works are completed and that the petitioner is able to enjoy electricity service connection. The impugned order is set aside. This writ petition stands allowed. No costs. Consequently, connected miscellaneous petition is closed.

05.06.2024

Index : Yes / No

Internet : Yes/ No

PMU

To:

The Inspector of Police,
Karungal police station,
Vilavancode Taluk,
Kanyakumari District.



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G.R.SWAMINATHAN,J.

PMU

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