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W.P.(MD)NO.18118 OF 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.08.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.18118 of 2024

Gnanam Jaculine

... Petitioner

Vs.

1. The District Collector,
District Collector Office,
Trichy, Trichy District.
2. The Assistant Engineer,
Operation & Maintenance(South),
Tamil Nadu Generation & Distribution
Corporation,
Mathur, Thiruverumbur Taluk,
Trichy District.
3. The Tahsildar,
Thiruverumbur Taluk,
Trichy District.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the second respondent to give electricity service connection for the house of the petitioner situated in survey No.415 plot No.18 D No.3/272 of Gundoor Village, Thiruverumbur Taluk, Trichy District.

For Petitioner : Mr.A.Joseph Jerry

For R-1 & R-3 : Mr.K.Balasubramani,
Special Government Pleader.

For R-2 : Mr.S.Deenadhayalan



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ORDER

Heard both sides.

2. The petitioner seeks electricity service connection for the petition mentioned premises. Admittedly, it is on a poramboke land. It appears that this land has been classified as water body. The petitioner's counsel would state that the classification is erroneous.

3. I do not want to go into those aspects. Technically, the petitioner does not have the legal right as such to obtain electricity service connection. But then, one factor is in favour of the petitioner. It is not in dispute that the neighbours who are identically placed are having service connection. It would not be proper to deny such facility to the petitioner. After all, electricity is a fundamental amenity. I direct the second respondent to grant service connection to the petitioner subject to fulfilment of other usual formalities. NOC from the third respondent shall be waived. But this order will not come to the petitioner's rescue if any proceeding is taken to restore the water body.



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4. With this clarification and caveat, this writ petition stands allowed. No costs.

01.08.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
Skm

Issue order copy on 16.10.2024

To:

1. The District Collector,
District Collector Office,
Trichy, Trichy District.
2. The Tahsildar,
Thiruverumbur Taluk,
Trichy District.



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4

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G.R.SWAMINATHAN,J.

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