



W.P(MD)No.17972 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.07.2024

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.17972 of 2024

and

W.M.P.(MD)No.15401 of 2024

V.Selladurai

... Petitioner

Vs.

1.The District Collector,
Pudukkottai District.

2.The Thasildar,
Kulathur,
Pudukkottai District.

3.The Assistant Engineer (Operation and Maintenance),
Tamil Nadu Generation and
Distribution Corporation Ltd.,
T-Nallur, Trichy Road,
Pudukkottai District.

... 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 of the 3rd respondent dated 28.06.2021 for rejecting petitioner's application No.200061660621161 for electricity service connection to the house No.619 in S.F.No.85/66 situated at Vadakku Thuvaravayal, Odukkur



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Post, Kulathur Taluk, Pudukkottai District and quash the same as illegal and arbitrary and in consequences thereof direct the 3rd respondent to give electricity service connection to the petitioner house at once.

For Petitioner : Mr.S.Sylverster Raj

For Respondents : Mr.D.Sasikumar,
Addl. Government Pleader for R1 & R2.
Mr.S.Deenadhayalan,
Standing Counsel for R3.

ORDER

Heard both sides.

2.The petitioner seeks grant of electricity service connection. The petitioner's premises have been put up on a poramboke land. The TANGEDCO officials insisted on production of NOC from the revenue authority. The revenue authority is unable to furnish NOC because the site is located in a water body.

3.I can very well understand the hesitation on the part of the revenue authorities. But when, the adjacent houses of the petitioner have already been granted electricity service connection, the petitioner cannot be deprived.



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Electricity is a fundamental amenity. Therefore, the third respondent is directed to provide electricity service connection to the petitioner subject to fulfilment of the other usual formalities. NOC from the Tahsildar will not be insisted upon. This shall be done as expeditiously as possible. The petitioner cannot take advantage of the fact that this Court directed grant of electricity service connection and if the authorities take action for restoring the water-body, this order will not come to the rescue of the petitioner.

4. With this caveat, this writ petition stands allowed. No costs. Consequently, connected miscellaneous petition is closed.

31.07.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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To:-

1. The District Collector,
Pudukkottai District.
2. The Thasildar,
Kulathur,
Pudukkottai District.



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G.R.SWAMINATHAN, J.

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