



W.P(MD)No.18482 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.08.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.18482 of 2024

and

W.M.P(MD)No.15709 of 2024

P.Muthusamy

... Petitioner

Vs.

1.The Chief Engineer (Distribution),
Tamil Nadu Generation and Power
Distribution Corporation Limited,
(TANGEDCO), Trichy Region,
Thennur,
Trichy – 620 017.

2.The Executive Engineer
(Operation and Maintenance),
Tamil Nadu Generation and Power
Distribution Corporation Limited,
(TANGEDCO), Thuraiyur,
Thuraiyur Taluk,
Trichy District.

3.The Assistant Engineer
(Operation and Maintenance),
Tamil Nadu Generation and Power
Distribution Corporation Limited,
(TANGEDCO), Koppampatti,
Thuraiyur Taluk,
Trichy District.



W.P(MD)No.18482 of 2024

4.P.Raja

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order passed by the third respondent dated 20.04.2024 and quash the same as illegal and consequently directing the respondents herein to provide Electricity Service connection to the petitioner's Rice Mill under the Industries (Non Metro) Tariff, based on the petitioner's application dated 06.12.2023.

For Petitioner : Mr.G.Prabhu Rajadurai
for Mr.C.Gangaiamaran

For Respondents : Mr.S.Deenadhayalan
Standing Counsel for R.1 to R.3

ORDER

Heard the learned counsel appearing for the writ petitioner and the learned Standing Counsel appearing for TANGEDCO. Considering the nature of relief to be granted, issuance of notice to the fourth respondent is dispensed with.

2.The petitioner had constructed a rice mill in the petition mentioned land. It appears to be a family property. Preliminary decree has been passed but final decree is yet to be passed.



W.P(MD)No.18482 of 2024

WEB COPY

3.Be that as it may, the petitioner wanted service connection for the mill put up by him. Even while TANGEDCO officials were processing the same, objections were received from the fourth respondent. The fourth respondent is none other than the petitioner's brother. Citing his objections, the petitioner's application was cancelled.

4.The learned counsel appearing for the petitioner rightly points out that before cancelling, the petitioner ought to have been put on notice. There are quite a few arguable issues involved. Without hearing the petitioner, such an order could not have been passed. It is clearly a violation of principles of natural justice.

5.In this view of the matter, the impugned cancellation is set aside. The matter is remitted to the file of the third respondent. The third respondent will issue notice to the petitioner as well as the fourth respondent and take a call in the matter. This exercise shall be completed by the third respondent within a period of eight weeks from the date of receipt of a copy of this order.



W.P(MD)No.18482 of 2024

6.This writ petition is allowed accordingly. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

02.08.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
MGA

Note: Issue order copy on 05.08.2024.



WEB COPY



W.P(MD)No.18482 of 2024

G.R.SWAMINATHAN,J.

MGA

W.P(MD)No.18482 of 2024

02.08.2024