



WP(MD). No.20658 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Date : 30/08/2024

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The Hon`ble Mr.Justice N.SATHISH KUMAR

**WP(MD). No.20658 of 2024
and WMP(MD) No.17514 of 2024**

Mohammed Thakeer A

... Petitioner

Vs

1. The Executive Engineer,
Tangedco, Kumbakonam,
Thanjavur District.

2. The Assistant Executive Engi,
Neer, Tangedco,
Operation and Maintenance,
Saliyamangalam Road, Papanasam,
Thanjavur District.

3. The Junior Engineer,
Tangedco,
Operation and Maintenance,
Saliyamangalam Road, Papanasam,
Thanjavur District.

... Respondents

PRAYER :- Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order in Ka.No.E.Mi.Po/Ka and Para/Na/Papa/Ko.Thani/A No.117/2024, dated



WP(MD). No.20658 of 2024

20.08.2024, passed by the 3rd respondent, and quash the same and consequently direct the 3rd respondent to shift the Electricity Service Connection No.482-001-94 TF IV, from S.No.185/7B to S.No.1/2, as per the sale deed.

For Petitioner : Mr.G.Karnan,
For Respondents : Mr.S.Deenadayalan

ORDER

With the consent of both sides, the writ petition itself is taken up for final disposal at the stage of admission itself.

2. The writ petition has been filed challenging the impugned order of the 3rd respondent dated 20.08.2024 and consequently direct the 3rd respondent to shift the Electricity Service Connection No.482-001-94 TF IV, from S.No.185/7B to S.No.1/2, as per the sale deed.

3. The grievance of the petitioner is that he has purchased the property under the pretext of selling his another land to the vendor. In the land, which is to be sold by the petitioner, a borewell is situated and since the same got dried, the petitioner wants to shift the existing electricity service connection to the land intended to be purchased by him. In and by an order dated 19.05.2024 in WP(MD) No.11387/2024,

2/5



WP(MD). No.20658 of 2024

this Court directed the petitioner to execute the sale and make an application to the respondents for shifting the existing service connection from S.No.185/7b. Pursuant to the said order, he has purchased the property in S.No.1/2 and applied for shifting of the connection. However, the application has not been considered and a communication has been sent vide the impugned order directing to disconnect the service connection.

4. The learned counsel for the petitioner submitted that inspection has been carried out. However, as per the engineer's report, there is no trace of bore-well in S.No.185/1B and in this regard, the petitioner was directed to produce documents.

5. I have considered the rival submissions and perused the materials available on record.

6. At the outset, it is seen that the existing connection in S.C.No. 42800194 given to the petitioner is not disputed and survey number to which service connection has been given is also not disputed. When



WP(MD). No.20658 of 2024

being the position, it is not the concern of the official whether the bore-well still exists or not in the old survey number. The grievance of the petitioner is that since the bore-well dug by him in S.No.185/7B has dried and he wanted to shift the connection to other survey number and he has also purchased the property, the respondents have no authority to find out whether the bore-well existed or not. As the connection is already existed and given to the said survey number, now an application is also given, the respondents shall shift the connection as per the letter within a period of one month from the date of receipt of a copy of this order. The shifting cost shall be borne out by the petitioner.

7. The writ petition is disposed of with the above direction. No costs. Consequently connected Miscellaneous Petition is closed.

30.08.2024

RR

NCC : Yes/No
Index : Yes/No



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WP(MD). No.20658 of 2024

N.SATHISH KUMAR,J

RR

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WP(MD) No.20658 of 2024**

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