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W.P.(MD)Nos.22680 & 16005 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.10.2024

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THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.(MD)Nos.22680 & 16005 of 2024

and

W.M.P.(MD)No.13915 of 2024

P.Yogaraj

... Petitioner in W.P.(MD)No.22680/2024

M/s.Kairasi Blue Metal,
73/1, Kovilpatti Road,
Ramsingh Nagar,
Manapparai,
Trichy District-621 306,
Rep.by its Managing Partner
V.Anandan

...Petitioner in W.P.(MD)No.16005/2024

Vs.

1.The Superintending Engineer,
TANGEDCO-Trichy /Metro/EDC,
Mannarpuram Main Road,
Trichy & Trichy District-620 020.

2.The Executive Engineer,
Operation & Maintenance,
TANGEDCO/Manapparai,
No.729, 4 Manapparaipatti Road,
Manapparai Po & Manapparai,
Trichy District-621 306.

3.The Assistant Executive Engineer,
Operation & Maintenance,
TANGEDCO/Manapparai,
R.S.Road, Vaiyampatti,
Manapparai Taluk,
Trichy District-621 315.



W.P.(MD)Nos.22680 & 16005 of 2024

4.The Assistant Engineer,
Operation & Maintenance (East),
TANGEDCO Poolampatti Post,
Manapparai Taluk,
Trichy District-621 307.

... Respondents in W.P.(MD)No.22680/2024

1.The Superintending Engineer,
TANGEDCO-Trichy /Metro/EDC,
Mannarpuram Main Road,
Trichy & Trichy District-620 020.

2.The Executive Engineer,
Operation & Maintenance,
TANGEDCO/Manapparai,
No.729, 4 Manapparaipatti Road,
Manapparai Po & Manapparai,
Trichy District-621 306.

3.The Assistant Executive Engineer,
Operation & Maintenance,
TANGEDCO/Manapparai,
R.S.Road, Vaiyampatti,
Manapparai Taluk,
Trichy District-621 315.

4.The Assistant Engineer,
Operation & Maintenance (East),
TANGEDCO Poolampatti Post,
Manapparai Taluk,
Trichy District-621 307.

5.The Inspector of Police,
Vaiyampatti Police Station,
Trichy District.

6.P.Sakthivel

7.S.Azhgammal

8.A.Palanisamy

9.R.Rani

10.A. Vishwanathan

11.P.Periasamy



W.P.(MD)Nos.22680 & 16005 of 2024

12.C.Ponnusamy
13.R.Aandiyappan
14.S.Jei

...Respondents in W.P.(MD)No.16005/2024

PRAYER in W.P.(MD)No.22680 of 2024: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents not to erect HT pole connection in the agricultural land by considering the representation of the petitioner dated 06.08.2024 within the time fixed by this Court.

PRAYER in W.P.(MD)No.16005 of 2024: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to provide Electricity Connection at the petitioner's Crusher unit in S.F.Nos.387/1A, 387/1B2, 387/1C situated at Amayapuram Village, Manapparai Taluk, Trichy District within a time frame fixed by this Court.

In W.P.(MD)No.22680 of 2024:

For Petitioner : Mr.I.Satiyanantham
For Respondents : Mr.S.Deenadhayalan
Standing Counsel

In W.P.(MD)No.16005 of 2024:

For Petitioner : Mr.M.Rajarajan
For R1 to R4 : Mr.S.Deenadhayalan
Standing Counsel
For R5 : Mr.M.Vaikkam Karunanithi
Government Advocate (Crl.side)
For R6 to R14 : Mr.I.Sathiyathan



W.P.(MD)Nos.22680 & 16005 of 2024

COMMON ORDER

The writ petition in W.P.(MD)No.22680 of 2024 has been filed not to erect any HT Pole connection in the petitioner's agricultural land.

2.The writ petition in W.P.(MD)No.16005 of 2024 has been filed seeking a direction to the respondents to provide electricity service connection to the petitioner.

3.Since the issue involved in these writ petitions are one and same, these writ petitions are taken up together and disposed by way of this common order.

4.The grievance of the petitioner in W.P.(MD)No.22680 of 2024 is that the petitioner is having agricultural land at Amayapuram Villgae, Manpparai Taluk, Trichy District. The respondents without any notice to the petitioner or to other adjacent land owners, had granted HT connection to one V.Anandhan, who is establishing a metal crusher company very near to the petitioner's property and based on the same, the respondents are trying to encroach upon the land of the petitioner. In this regard, the petitioner has submitted a representation dated 06.08.2024 seeking not to erect HT pole connection in the petitioner's property. Since the same was not considered, the petitioner has filed this writ petition.



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5.The case of the petitioner in W.P.(MD)No.16005 of 2024, that the petitioner Company had obtained license for gravel quarry in the subject property and applied for HT service connection for its crusher unit. A sum of Rs.35,41,703/- has also been paid as fee for the installation of the HT service connection on 20.04.2024. Despite the same, the respondents have not come forward to install the new HT service connection. Therefore, the petitioner company has given a representation dated 05.07.2024 in this regard. However, the same was not considered. Hence, the petitioner has filed the writ petition.

6.The learned Standing Counsel for the Electricity Board submitted that already the service line is available from Vidathilampatti Sub Station to Veerapanur Road, which is the nearest place of the Company. Only in the existing lines only, the HT lines are proposed to be drawn.

7.Whereas, the learned counsel for the private respondents in W.P. (MD)No.16005 of 2024 submits that the poles have been sought to be erected in their agricultural lands. Hence, they oppose for erecting such poles. Further, under the pretext of drawing lines in the existing service lines, new poles are sought to be erected by the authorities concerned.



W.P.(MD)Nos.22680 & 16005 of 2024

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8. Heard the learned counsel appearing on either side and perused the materials placed on record.

9. The existence of the service lines in the same area is not disputed. If the private respondents in W.P.(MD)No.16005 of 2024 and the petitioner in W.P.(MD)No.22680 of 2024/private parties in these writ petitions have any grievance with regard to the same, they shall approach the District Collector and make their objections. On receipt of such objections, the District Collector shall decide the same on its own merits and pass appropriate orders within a period of one month from the date of receipt of a copy of this Court.

10. With the above direction, these writ petitions are disposed of. No costs. Consequently, connected miscellaneous petition is closed.

22.10.2024

Index:yes/no
Internet:yes/no
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To

1. The Superintending Engineer,
TANGEDCO-Trichy /Metro/EDC,
Mannarpuram Main Road,
Trichy & Trichy District-620 020.



W.P.(MD)Nos.22680 & 16005 of 2021

- 2.The Executive Engineer,
Operation & Maintenance,
TANGEDCO/Manapparai,
No.729, 4 Manapparaipatti Road,
Manapparai Po & Manapparai,
Trichy District-621 306.
- 3.The Assistant Executive Engineer,
Operation & Maintenance,
TANGEDCO/Manapparai,
R.S.Road, Vaiyampatti,
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- 4.The Assistant Engineer,
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- 5.The Inspector of Police,
Vaiyampatti Police Station,
Trichy District.
- 6.The District Collector,
Trichy District.



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N.SATHISH KUMAR, J.

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