



W.P.(MD) No.19433 of 2016

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.11.2024

CORAM:

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

W.P.(MD) No.19433 of 2016

and

W.M.P.(MD) Nos.14015 to 14017 and 16328 of 2016

S.Veluchamy

... Petitioner

/vs./

1.The Assistant Engineer (Distribution),
Tamil Nadu Generation and Electricity
Distribution Corporation (TANGEDCO),
K.Mayiladumparai Village,
Andipatti Taluk,
Theni District.

2.The Block Development Officer,
O/o. the Block Development Office,
Nariyuthu Panchayat,
K.Mayiladumparai Village,
Andipatti Taluk,
Theni District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari, calling for the records relating to the impugned



W.P.(MD) No.19433 of 2016

order passed by the 2nd respondent in his proceedings in Na.Ka.No. 389/2016/Thi1 dated 23.09.2016 and quash the same as illegal.

For Petitioner : Mr.Karthick Raja for
Mrs.Ajmal Associates

For R1 : Mr. S.Deenadhayalan
Standing Counsel

For R2 : Mr.R.Suresh Kumar
Additional Government Pleader

ORDER

The order under challenge is an order passed by the second respondent addressing the first respondent not to grant any service connection to the property in D.No.77A in S.No.503/1B bearing Assessment Nos.866 and 908 at K.Mayiladumparai Village, Andipatti Taluk, Theni District.

2. It is submitted by the learned counsel appearing for the first respondent that the service connection had earlier been given to the said property with the said assessments as early as in the year 2010. Pursuant to the order passed by the second respondent, the same had been disconnected. However, the said connection has also been restored pursuant to the directions given in the instant writ petition.



W.P.(MD) No.19433 of 2016

WEB COPY

3. It is further to be noted that from the statement made by the learned counsel appearing for the first respondent, it is seen that the service connection had been effected as early as in the year 2010. When that be so, the order passed by the second respondent is without any substance. Further, the second respondent cannot issue such directions to the first respondent.

4. In such view of the matter, the impugned order is grossly erroneous and in fine, the same is set aside. The Writ Petition stands allowed accordingly. However, there shall be no order as to costs. Consequently, connected Miscellaneous Petitions are closed.

Index : Yes / No

05.11.2024

Internet : Yes / No

mm

To

The Block Development Officer,
O/o. the Block Development Office,
Nariyuthu Panchayat,
K.Mayiladumparai Village, Andipatti Taluk, Theni District.

3/4



WEB COPY



W.P.(MD) No.19433 of 2016

K.KUMARESH BABU, J.

mm

W.P.(MD) No.19433 of 2016

05.11.2024