



W.P.(MD)No.24682 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED 04.01.2024

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THE HONOURABLE **MRS.JUSTICE V.BHAVANI SUBBAROYAN**

W.P.(MD)No.24682 of 2023

P.Raj

...Petitioner

/Vs./

- 1.The Superintending Engineer,
TNEB/TANGEDCO,
Tamil Nadu Electricity Distribution Circle,
Maharaja Nagar,
Tirunelveli District – 11.
- 2.The Executive Engineer,
TNEB/TANGEDCO,
Distribution,
Sankarankovil,
Tenkasi District.
- 3.The Assistant Executive Engineer,
TNEB/TANGEDCO,
Distribution,
Sankarankovil,
Tenkasi District.

...Respondents

Prayer: Writ Petition - filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 1 to 3 for shifting the free electricity service connection from the survey No.14/2D to the petitioner's another agricultural irrigation well in Sub Division S.No.



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260/1B, 260/2B (Original Survey Number is 260/2A) situated at Sayamalai Revenue Village, Kokkukulam, Tenkasi District in light of approval accorded by the first respondent dated 23.05.2022.

For Petitioner : Mr.I.Pinaygash

For Respondents : Mr.S.Deenadhayalan

Standing Counsel

ORDER

This writ petition has been filed for issuance of writ of mandamus directing the respondents to shift the free electricity service connection from the survey No.14/2D to the petitioner's another agricultural irrigation well in Sub Division S.No.260/1B, 260/2B (Original Survey Number is 260/2A) situated at Sayamalai Revenue Village, Kokkukulam, Tenkasi District in light of approval accorded by the first respondent dated 23.05.2022.

2. The case of the petitioner is that he has some agricultural land in S.No.14/2D, which was purchased on 03.03.2022 and its free electricity service connection has also been changed in his name. The petitioner is used to do irrigation by using this free electricity service connection. Now, the said irrigation well has become completely dry and he is not able to get water from



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it. Hence, he could not irrigate the lands and he has approached the

respondents to shift the free electricity service connection from the survey No.

14/2D to the petitioner's another agricultural irrigation well in Sub Division

S.No.260/1B, 260/2B (Original Survey Number is 260/2A) situated at

Sayamalai Revenue Village, Kokkukulam, Tenkasi District. The petitioner sent

an application to the first respondent and the first respondent granted approval

for shifting the free electricity service connection on 23.05.2022.

3. According to the petitioner, the first respondent granted approval on 23.05.2022 directing the respondents 2 and 3 to sanction the estimate for Deposit Contribution Works from competent authorities after ensuring all technical feasibility and the estimate amount may be collected from the party in advance and all usual formalities may be followed before shifting the free electricity service connection. However, the respondents have not taken any steps to shift the free electricity service connection. Hence, the petitioner came before this Court with the aforesaid prayer.

4. The learned counsel appearing for the petitioner relied upon an order passed by this Court dealing with the similar issue in W.P.No.24838 of 2019 dated 22.10.2019, in which it was held that there is no legal impediment for the



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respondents to consider it. The learned counsel appearing for the petitioner submitted that the petitioner will give a fresh application to the respondents for shifting the free electricity service connection with all relevant documents and necessary fees.

5. The learned standing counsel appearing for the respondents submitted that even though the first respondent has granted approval to the second respondent to consider the request of the petitioner, till date, the second respondent has not received the same due to some administrative reasons. If sufficient time is given, the respondents will take appropriate steps to shift the free electricity service connection to another place, based on the feasibility report. Costs for shifting process shall be borne by the petitioner.

6. In view of the submission made by the learned standing counsel appearing for the respondents, this Court directs the second respondent to take appropriate steps to shift the free electricity service connection, from the survey No.14/2D to the petitioner's another agricultural irrigation well in Sub Division S.No.260/1B, 260/2B (Original Survey Number is 260/2A) situated at Sayamalai Revenue Village, Kokkukulam, Tenkasi District, where well is being constructed and surplus water is available, based on the feasibility report,



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within a period of eight weeks from the date of receipt of a copy of this order.

The petitioner has to pay necessary costs for the said process, which shall be determined by the second respondent, within a period of three weeks.

7. With the above directions, this writ petition is disposed of. No costs.

04.01.2024

NCC : Yes/No

Index : Yes/No

Internet: Yes/No

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TO:-

1.The Superintending Engineer,
TNEB/TANGEDCO,
Tamil Nadu Electricity Distribution Circle,
Maharaja Nagar,
Tirunelveli District – 11.

2.The Executive Engineer,
TNEB/TANGEDCO,
Distribution,
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3.The Assistant Executive Engineer,
TNEB/TANGEDCO,
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Tenkasi District.



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V.BHAVANI SUBBAROYAN, J.

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Order made in
W.P(MD)No.24682 of 2023

Dated:
04.01.2024