



W.P(MD)No.24794 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 30.01.2024

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THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

Writ Petition (MD)No.24794 of 2023

Chelladurai

... Petitioner

-Vs-

- 1.The Superintending Engineer,
TANGEDCO, Dindigul.
- 2.The Executive Engineer,
Operation Maintenance,
TANGEDCO, Palani,
Dindigul District.
- 3.The Assistant Electric Engineer,
Operation and Maintenance,
TANGEDCO,
Swaminathapuram @ Pushpathur,
Dindigul District.

... Respondents

PRAYER:- Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus directing the respondents particularly the 3rd respondent to give a double throw switch arrangement for the electricity service connection owned by the petitioner in S.C.No.292-003-395 by accepting his application.

For Petitioner

: Mr.D.Venkatesh



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For Respondents

: Mr.S.Deenadhayalan
Standing Counsel

ORDER

This writ petition is filed seeking for issuance of a Writ of Mandamus directing the respondents, particularly, the 3rd respondent to give a double throw switch arrangement for the electricity service connection owned by the petitioner in S.C.No.292-003-395 by accepting his application.

2. Heard the learned counsel appearing for the petitioner and the learned Standing Counsel appearing for the respondent.

3. It is stated by the petitioner that his grandfather by executing a settlement deed bequeathed the rights to own certain properties to him and his cousins. After deriving title over the properties, the petitioner got patta in his name and he dug a bore-well and got electricity service connection from the respondent. He is enjoying the properties as a coconut grove. While so, his cousins managed to cancel the patta issued to the petitioner and got a joint patta from the revenue officials. Hence, the petitioner has filed a suit in O.S.No.73 of 2022 before the District Munsif Court,



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4. It is further stated by the petitioner that since the existing bore-well became dry, he is unable to take water from the said bore-well for his coconut grove. Hence, he dug a new bore-well and sought permission from the respondents for double throw switch arrangements. In this regard, he made an application with relevant annexures before the third respondent on 10.06.2022. However, the third respondent did not accept the same and refused to receive the same. Further, on 21.04.2023, the third respondent has issued a letter stating that the subject matter electricity service connection given to the particular bore-well being used to operate the motor pump set situated in another bore-well and hence, the petitioner was advised not to continue the same. Because of the attitude of the third respondent, the petitioner is unable to draw water for developing his coconut grove. Hence, he filed the present writ petition.

5. It is seen that water is essential in agricultural and it is a critical input for agricultural production and plays an important role in food



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security. Therefore, considering the limited scope of the prayer sought for by the petitioner, without going into the merits of the matter, this Court directs the petitioner to make an application to the third respondent for double throw switch arrangement for the electricity service connection owned by him in S.C.No.292-003-395. On receipt of such application, the third respondent shall consider the same on humanitarian ground and pass orders in accordance with law and report the same before this Court by 04.03.2024.

6. This Writ Petition stands disposed of with the above directions. No costs.

7. Post the matter on **04.03.2024** for reporting compliance.

30.01.2024

NCC : Yes/No
Index : Yes/No
Internet : Yes
skn

V.BHAVANI SUBBAROYAN, J.

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