



W.P.(MD)No.28678 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **02.12.2024**

CORAM:

THE HONOURABLE **MRS.JUSTICE L.VICTORIA GOWRI**

W.P.(MD)No.28678 of 2024

and

W.M.P.(MD)No.24309 of 2024

R.Rethinam

... Petitioner

Vs.

The Assistant Engineer (O&M),
Nattarasankottai,
Kalaiyarkovil Taluk,
Sivagangai.

... Respondent

PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the impugned rejection order of the respondent in application No. 200054610824991 dated 21.09.2024 and quash the same and consequently direct the respondent to accept the undertaking affidavit filed in terms of Regulation No.27(12) and provide electricity connection to the house in D.No. 8/526/2 situated in Kallanaikovil Street, Kolangudi Panchayat, Kalaiyarkovil, Sivagangai.

For Petitioner : Mr.K.K.Udayakumar

For Respondent : Mr.S.Deenadhayalan

Standing Counsel



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ORDER

Challenging the rejection order passed by the respondent dated 21.09.2024, to provide electricity connection to the petitioner's house in D.No. 8/526/2 situated in Kallanaikovil Street, Kolangudi Panchayat, Kalaiyarkovil, Sivagangai, this writ petition has been filed.

2. By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

3. Heard the learned counsel on both sides and carefully perused the entire materials available on record.

4. When the matter is taken up for hearing, the learned standing counsel appearing for the respondent submitted that the petitioner's house is situated in government poramboke land and it appears that the petitioner has encroached as much as 40 cents in that area. There is no other house situated in that particular area.



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5. The learned counsel appearing for the petitioner submitted that the petitioner's house has already been assessed in Assessment No.3892 by Kolangudi Panchayat in the name of the petitioner.

6. The learned standing counsel appearing for the respondent further submitted that it would require some electrical posts for the purpose of drawing electrical line to the petitioner's house.

7. It is also brought to the notice of this Court that the petitioner has already filed a writ petition in WP(MD)No.18121 of 2024, and this Court by its order dated 01.08.2024, directed the Tahsildar, Kalaiyarkovil Taluk to complete his proceedings initiated on 20.05.2024 for grant of free house site patta to the petitioner's house situated at S.No.422/3 situated at Kolangudi Group Kalaiyarkovil Taluk, Sivagangai District.

8. Though the petitioner's house is situated in poramboke land, considering the fact that electricity is basic minimum necessity for livelihood, the impugned rejection order dated 21.09.2024 is hereby set aside and this Court hereby direct the respondent to provide electricity connection to the petitioner's house in D.No.8/526/2 situated in Kallanaikovil Street, Kolangudi



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Panchayat, Kalaiyarkovil, Sivagangai, on receipt of necessary charges paid by the petitioner in this regard. It is made clear that grant of electricity connection to the petitioner's house will not entitle the petitioner to claim title over the property.

9. With the above direction, the Writ Petition stands disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

02.12.2024

NCC : Yes / No
Index : Yes / No
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TO:-

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The Assistant Engineer (O&M),
Nattarasankottai,
Kalaiyarkovil Taluk,
Sivagangai.



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L.VICTORIA GOWRI, J.

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Order made in
W.P.(MD)No.28678 of 2024

Dated
02.12.2024