



WEB COPY



W.P.(MD).No.29467 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.12.2024

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.29467 of 2024

M.Kumar

... Petitioner

Vs.

1.The Superintending Engineer,
Kanyakumari Electricity Distribution
Circle/ TANGEDCO,
Parvathipuram,
Nagercoil,
Kanyakumari District.

2.The Executive Engineer,
Distribution / TANGEDCO,
Thakkalay,
Kanyakumari District.

3.The Junior Engineer,
Distribution / TANGEDCO,
Thakkalay,
Kanyakumari District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned letter issued by the 3rd respondent in his proceedings in letter No. AE/Distribution/Thakkalay/F.Doc/D.No. 398/24/ dated 12.11.2024 with reference to application No. 2000715110241216 and quash the same and further directing the 3rd respondent to issue a new



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electricity service connection with respect to the property in SF.No.474/1, Villukuri Revenue Village, Kalkulam Taluk, Kanyakumari District.

For Petitioner : Mr.S.Ramasamy

For Respondents : Mr.S.Deenadhayan,
Standing counsel

ORDER

By consent of both the parties, this writ petition is taken up for final hearing at the admission stage itself.

2.This writ petition is filed to call for the records pertaining to the impugned letter issued by the 3rd respondent in his proceedings in letter No. AE/Distribution/Thakkalay/F.Doc/D.No. 398/24/ dated 12.11.2024 with reference to application No. 2000715110241216 and quash the same and further directing the 3rd respondent to issue a new electricity service connection with respect to the property in SF.No.474/1, Villukuri Revenue Village, Kalkulam Taluk, Kanyakumari District.

3.Heard the learned counsels on either sides and carefully perused the materials available on record.



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4.The learned counsel for the petitioner submitted that the building to which the petitioner has sought for an electricity connection is situated in a grama natham land. The building is also assessed for house tax.

5.Per contra, the learned counsel for the respondent corporation, Mr.S.Deenadhayalan, on instructions, submitted that it is not for a house which they are seeking an electricity connection but for a commercial connection in their application. In view of the same, it could not be considered since the said land is a grama natham land.

6.However, the petitioner categorically contended that it is only a residential house. In view of the same, the impugned order is hereby quashed and remanded back to the 3rd respondent to make proper enquiry with the concerned town panchayat as to whether it is a residential building or a commercial building considering the tax receipt submitted by the petitioner before this Court and pass appropriate orders in accordance with law within a period of twelve (12) weeks from the date of receipt of a copy of this order.



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7. With the above directions, this writ petition is disposed of. There shall be no order as to costs.

09.12.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes
Sml

To

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Kanyakumari Electricity Distribution
Circle/ TANGEDCO,
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Kanyakumari District.
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L.VICTORIA GOWRI, J.

Sml

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