



W.P.(MD).No.28518 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.03.2024

CORAM

THE HONOURABLE MR. JUSTICE G.R.SWAMINATHAN

W.P.(MD).No.28518 of 2023

Kandasamy

... Petitioner

Vs.

1.The Superintending Engineer,
TANGEDCO,
Karur.

2.The Executive Engineer Rural,
Karur TANGEDCO,
TNEB Complex,
No.3, Kovai Road,
Karur.

3.The Assistant Executive Engineer (Rural),
TANGEDCO,
Operation and Maintenance,
Karur.

4.Soliammal

... 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 to provide agricultural electricity service connection to the petitioner's property in S.F.No.65/10B, situated at Kodaiyur Village, Aravakurchi Taluk, Karur District by considering the application of the petitioner in Reference No.200060241023489, within stipulated time fixed by this Court.



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For Petitioner : Mr.S.Gokulraj
For R-1 to R-3 : Mr.S.Deenadhayalan
Standing Counsel
For R-4 : Mr.M.P.Senthil

ORDER

Heard the learned counsels on either side.

2. The petitioner seeks service connection for the Well dug by him in the petition mentioned survey number. It is not in dispute that the petition mentioned survey number is the petitioner's patta land. The fourth respondent is the petitioner's sister-in-law. She filed objection that since the petitioner has dug a Well near a common Well, service connection should not be provided.

3. This Court had appointed an Advocate Commissioner. The Advocate Commissioner inspected the said Well and filed a report stating that the common Well is not in use.

4. It is not in dispute that the fourth respondent is having an independent Well in her patta land and she is also enjoying the same. Therefore, I direct the TANGEDCO to grant electricity service connection to the petitioner as sought for subject to fulfilment of other usual formalities. I make it clear that this



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order will not be marked by the petitioner in the pending suit in O.S.No.51 of 2023 filed by the fourth respondent on the file of the District Munsif Court, Aravakuruchi and the said suit shall be independently decided.

5. Accordingly, the Writ Petition is allowed. There shall be no order as to costs.

26.03.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
Lm

To

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G.R.SWAMINATHAN, J.

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