



WP No. 22452 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-06-2025

CORAM

THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

WP No. 22452 of 2025 AND

WMP Nos. 25243 and 25246 OF 2025

T.Ruthiramoorthy
S/o. Thangavel, Residing At
Samandapatti (e), Vadamangalam Post,
Pochampalli Taluk, Krishnagiri District.

... Petitioner

Vs

1. The Managing Director
Tamil Nadu Electricity Generation And
Distribution Corporation, Anna Salai,
Chennai-2.

2.The Superintending Engineer
Tamil Nadu Electricity Generation And
Distribution Corporation, Krishnagiri,
Krishnagiri District.

3.The Executive Engineer (o And M)
Tamil Nadu Electricity Generation And
Distribution Corporation, Pochampalli,
Krishnagiri District.

4.The Assistant Engineer (o And M)
Tamil Nadu Electricity Generation And
Distribution Corporation, Pannandhur,
Pochampalli Taluk, Krishnagiri District.

...Respondents

PRAYER



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Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus to call for the records of the 4th respondent made in Ka. No.OoPo/EPa/ Pannandhur/Ko-RTI/Ka.No.040/2023-24 dated 14.07.2023 and quash the same and consequently direct the Respondents to provide electricity connection for the Well Situates in S.No.320/1A of Puliampatti Village, Pochampalli Taluk, Krishnagiri District.

For Petitioner : Mr.J. Pradeep

For Respondents: Mr.S.Madhusudhanan
Standing Counsel

ORDER

This writ petition has been filed challenging the proceedings of the fourth respondent dated 14.07.2023 and for a consequential direction to the respondents to provide electricity connection for the well situated at S.No.320/1A, Puliampatti Village, Pochampalli Taluk, Krishnagiri District.

2. The case of the petitioner is that his father was the owner of the agricultural land in S.No.348/4. He applied for agricultural electricity connection in his name. After his death, the petitioner's mother submitted a fresh application on 09.02.2001 seeking for free agricultural electricity connection for the well situated in the said land, which was approved by the respondents and a letter was issued on 30.07.2020 permitting the electricity connection.

3. S.No.348/4 was subdivided into S.Nos.348/4A and 348/4B. According



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to the petitioner, the well situated in S.No.348/4B is registered in the name of the petitioner. The petitioner wanted transfer of the service connection from S.No.348/4B to S.No.320/1A. An application was submitted in this regard by the petitioner's mother and ultimately, the fourth respondent through the impugned proceedings dated 14.07.2023 has rejected the claim made by the petitioner. Aggrieved by the same, the present writ petition has been filed before this Court.

4. On carefully going through the proceedings of the fourth respondent, it is seen that a spot inspection was made and it was found that there was no well in S.No.348/4B. Only one well was available in S.No.348/4A and the service connection insofar as the well is concerned, stands in the name of the petitioner's brother.

5. Learned counsel for the petitioner, by relying upon the press release of the Tamil Nadu Electricity Regulatory Commission dated 10.09.2020 submitted that the petitioner as the co-owner is entitled for the shifting of the service connection to S.No.320/1A.

6. To appreciate the above submission made by the learned counsel for the petitioner, the relevant paragraphs of the press release is extracted hereunder:



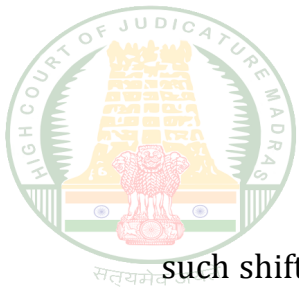
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- *Within a survey field number or in a subdivided field number, a person shall be eligible to be given one agricultural service connection to each well / bore well subject to the condition that the wells / bore wells are independent and physically separated from each other and the minimum extent of land to be irrigated from each well / bore well shall be 0.5 acre.*
- *More than one agricultural service connection shall be eligible to be given to a well / bore well in a survey field number in the name(s) of the co-owner(s) of the well / bore well provided the co-owner(s) should own an extent of irrigated land of minimum 0.5 acre per service."*

7. Learned counsel for the petitioner, by relying upon the press release also submitted that the shifting of an existing agricultural service connection from any place to any place within the State is permissible and therefore the petitioner is entitled for the shifting of the electricity service connection to the well situated at S.No.320/1A.

8. It is not clear with respect to the fact as to whether there is a well existing in S.No.320/1A. It is not necessary for this Court to get into this issue. The only issue that is to be considered is whether the petitioner is entitled for

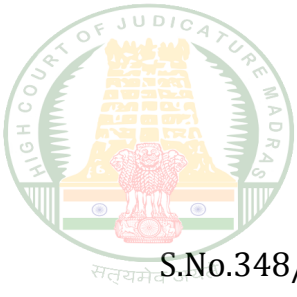


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such shifting of service connection to S.No.320/1A on the assumption that a well is situated in this survey number.

9. The spot inspection made by the authorities shows that there was no well available at S.No.348/4B, over which the petitioner is claiming right. There was only one well at S.No.348/4A and the service connection stood in the name of the petitioner's brother. According to the petitioner, since he is also a co-owner, he will be entitled for a service connection in the said well. Since such right is available, the petitioner is entitled to shifting this service connection to the well in S.No.320/1A.

10. The stand that has been taken by the learned counsel for the petitioner is far fetched. On a careful reading of the press release, it is seen that more than one agricultural service connection can be given to a well / bore well in a survey field number in the name of co-owners. Thus, more than one owner will be able to get a separate service connection for the same well in their capacity as a co-owner subject to the condition that the irrigated land must be a minimum of 0.5 acres per service. Admittedly, the service connection now stands in the name of the brother of the petitioner in S.No.348/4A. The specific stand of the petitioner is that he is the owner of S.No.348/4B, in which no well was located as per the inspection report. Even assuming that the petitioner is the co-owner for

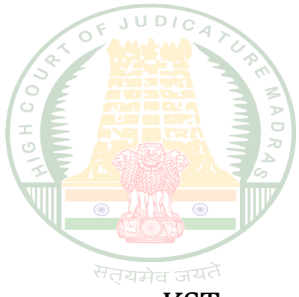


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S.No.348/4A and will be entitled for a separate connection in that well that is located in S.No.348/4A, that does not mean that the petitioner can use that right and can get a separate electricity connection at S.No.320/1A. If the relevant regulation along with the press release is stretched to such an extent, it will go completely against the very object of providing free agricultural electricity service connection.

11. On facts, it has now come to light that there was no well at S.No.348/4B. Therefore, in the absence of any well, the petitioner could not have applied for a service connection in S.No.348/4B. If at all there was any well, there will be some meaning in the petitioner seeking for the transfer of the service connection from S.No.348/4B to S.No.320/1A. In the absence of the same, the petitioner is only making an illusory claim, which is not available to the petitioner.

12. In the light of the above discussion, this Court does not find any ground to interfere with the proceedings of the fourth respondent and accordingly this writ petition stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.



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KST

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

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