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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.07.2025

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THE HONOURABLE **Mr. JUSTICE N. ANAND VENKATESH**

W.P.No.25692 of 2025

and

WMP Nos.28853 and 28854 of 2025

C.Jothi

.. Petitioner

.Vs.

- 1.The District Backward Class and Minority Welfare Officer
District Backward Class and Minority Welfare Office
Namakkal, Namakkal District.
- 2.Special Tahsildar (ADW)
Officer of the Special Tahsildar
Namakkal
Namakkal District.
- 3.The Superintendent Engineer
Tamil Nadu Electricity Generation and Distribution Corporation
(TANGEDCO)
Namakkal District 637 408.
- 4.The Executive Engineer
(Operation and Maintenance)
Tamil Nadu Electricity Generation and Distribution Corporation
(TANGEDCO)
Kavundampalaym
Rasipuram, Namakkal District 637 408.



5.The Assistant Engineer

(Operation and Maintenance)

Tamil Nadu Electricity Generation and Distribution Corporation

(TANGEDCO)

Singalanthapuram

Namakkal District 637 408.

6.The Tahsildar

Office of the Tahsildar

Revenue Department

Rasipuram.

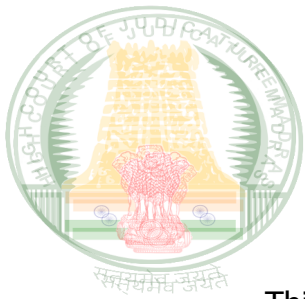
.. Respondents

Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus Calling for the records relating to the proceedings of the 5th Respondent in K.No.Assistant Engineer/Operation and Maintenance/ Singalathurupam/ Ko.thani/A.No.157/2025-26 dated 23.6.2025 and quash the same and for a consequential direction directing the 3rd to 5th Respondent to provide domestic electricity service connection to the petitioner's house at Plot No.56 in Survey No.291/1A1 of Singalanthapuram Village, Rasipuram Taluk, Namakkal District.

For Petitioner : Dr.R.Gouri

For Respondents : Mr.Alagu Gowtham
Government Advocate for R1 & R2

Mr.S.Kalaiselvan
Standing Counsel for R3 to R5



ORDER

This writ petition has been filed challenging the impugned proceedings of the 5th respondent dated 23.06.2025 and for a consequential direction to respondents 3 to 5 to provide domestic electricity service connection to the petitioner's house.

2.Heard Dr.R.Gouri, learned counsel for the petitioner, Mr.Alagu Gowtham, learned Government Advocate for R1 & R2 and Mr.S.Kalaiselvan, learned Standing Counsel for R3 to R5.

3.The petitioner was granted assignment patta under Adidravidar Welfare Scheme by the Special Tahsildar through proceedings dated 07.09.2000. Thereafter, the Special Tahsildar through proceedings dated 09.02.2022 cancelled the assignment. The same was put to challenge by the petitioner in WP.No.12025 of 2024. This writ petition along with two other writ petitions was allowed by this Court by an order dated 27.06.2024 and the relevant portions are extracted hereunder:

6. I have perused the Government Order in G.O. Ms. No.34 dated 13.01.2021 issued by the Revenue and Disaster Management Department and one of the clauses, namely clause 4(v)(b) (wrongly mentioned as (i) in the G.O.) reads as follows:

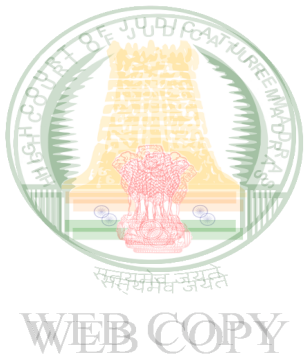
"b) Site is vacant as the original beneficiary has not constructed the house even after one year of assignment.



If the original beneficiary has not yet constructed the house as per the conditions to have constructed the house within a period of one year, there shall be a further extended period now available from the date of issue of this order for three more years to construct the house. Collectors shall take all efforts to sanction a free house under any Government scheme like PMAY, CMSPGH etc within the specified period of three years. The patta shall not be cancelled now for non-construction of house."

7. When the Government itself has extended the period for construction of the house and also directed the authorities to sanction a free house under any Government scheme to such persons to construct houses, however, the impugned orders came to be passed merely on the ground that house has not been constructed. The impugned orders also indicate that no opportunity whatsoever was given to the parties. In such view of the matter, when the impugned order violates the Government Order and also the principle of natural justice, the same cannot be sustained in the eye of law. Accordingly, the impugned orders are liable to be quashed.

8. In the result, all the three writ petitions are allowed and the impugned orders passed by the 2nd respondent in Na. Ka.14797/1999/B3 dated 9.2.2022 in respect of the petitioner's land in Plot Nos.33, 55 and 56 in Survey No.291/1A1 of Singalanthapuram Village, Rasipuram Taluk, Namakkal District,

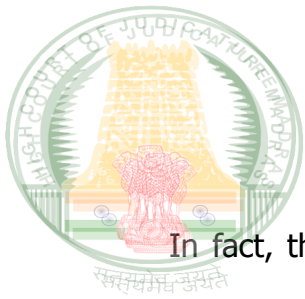


are quashed. The authorities are directed to sanction a free house in any Government scheme as directed in G.O. Ms. No.34 dated 13.01.2021 issued by the Revenue and Disaster Management Department, to the petitioner so that the petitioners will be in a position to construct the house in the place where the pattas have been granted. No costs. Consequently, the connected writ miscellaneous petitions are closed.

4.Pursuant to the above order, the petitioner submitted an application seeking for domestic electricity service connection to the house. The same came to be rejected by the 5th respondent through the impugned proceedings dated 26.03.2025, on the ground that the petitioner has sought for the issuance of patta and the proceedings are pending and therefore the application seeking for service connection cannot be entertained.

5.The learned Government Advocate appearing on behalf of the respondents 1 and 2 submitted that the respondents are taking steps to file an appeal against the order passed by the learned Single Judge.

6.In the considered view of this Court, the order was passed by this Court one year back on 27.06.2024. If no steps have been taken to challenge the same, that cannot deprive the petitioner from issuance of patta and to get the service connection.



In fact, this order has to be acted/complied with by the respondents and they cannot disregard the said order by suddenly waking up after one year and deciding to file an appeal. This attitude on the part of the respondents cannot be appreciated.

7. In view of the above, this Court is inclined to interfere with the impugned proceedings of the 5th respondent dated 23.06.2025 and the same is hereby quashed. There shall be a direction to the 5th respondent to act upon the application submitted by the petitioner in line with the order passed in W.P.Nos.12016 etc., of 2024 dated 27.06.2024 and the service connection shall be provided, if the petitioner has satisfied all the other requirements. This process shall be completed by the 5th respondent within a period four weeks from the date of receipt of copy of the order.

8. In the result, this writ petition stands allowed. No costs. Consequently, connected miscellaneous petitions are closed.

15.07.2025

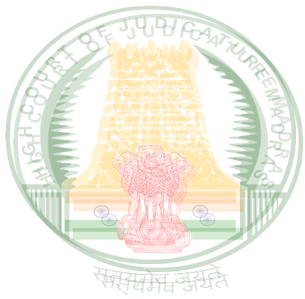
Index : Yes/No
Neutral Citation : Yes/No
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N. ANAND VENKATESH, J.

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