



W.P.No.39989 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 24.01.2025

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.No.39989 of 2024 and
WMP No.43291 of 2024

M.Sadiappan

... Petitioner

Vs.

The Assistant Engineer (O & M),
Mudichur, CEDC/South Chennai,
Tamil Nadu Generation and Distribution
Corporation Ltd., (TANGEDCO),
Kambar Street (Mayan Street),
Mudichur, Chennai 600 038.

... Respondents

Prayer: Writ petition filed under Article 226 of Constitution of India seeking for issuance of Writ of Certiorari, calling for the records relating to the order of the respondent dated 27.09.2024 in Ka.En.U.PO/E & Pa/Mudichur/Ko.tha.sa/A No.98/2024 and quash the same.

For Petitioner : Mr.K.Selvaraj

For Respondent : Mr.L.Jaivenkatesh, Standing Counsel



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ORDER

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The writ petition is filed challenging the order passed by the respondent, directing the petitioner to produce NOC from the revenue Tahsildar for giving electricity service connection to the petitioner's premises, which is situated in government promboke land.

2. The learned counsel for the petitioner submits that as per the Regulation 27(12) of Tamil Nadu Electricity Distribution Code, the petitioner is entitled to get electricity service connection by executing indemnity bond in Form-6 and no objection certificate from the department is not required.

3. The learned Standing Counsel appearing for the respondent, on written instructions and status report of the respondent dated 24.01.2025 submits that, as per the amended Regulation 27(12) of the Tamil Nadu Electricity Distribution Code, in addition to indemnity bond in Form-6, the occupier shall submit No objection certificate from the concerned officer of the government. Therefore, according to him, the impugned order passed by the respondent is in accordance with law,



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as per amended the provisions of Regulation 27(12) of the Tamil Nadu Electricity Distribution Code. The learned Standing Counsel further submits that the petitioner premises is situated in a government water body, classified as “Government Neer Nilai promboke.”

4. The amended Regulation 27(12) of the Tamil Nadu Electricity Distribution Codes reads as follows.

Regulation-27(12): Supply shall be given in proromboke lands/ Government lands on production of No objection certificate obtained from the concerned officer of the government of Tamil Nadu. The applicant shall executive an indemnity bond in Form-6 of the Appendix-III to this code and also pay security deposit twice the normal rate”

5. In view of the above said amended Regulation, in addition to indemnity bond, the petitioner is required to produce No objection Certificate from the Revenue Department. Therefore, the impugned order passed by the respondent is in accordance with the amended Regulation. Further, the petitioner also appeared to have been in possession of the water body. In such circumstances, this court is not inclined to entertain this writ petition, as it is devoid of merits.



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6. Accordingly, this writ petition is dismissed. There shall be no order as to costs. Connected miscellaneous petition is closed.

24.01.2025

Index:Yes/No
Internet:Yes/No
mst

To

The Assistant Engineer (O & M),
Mudichur, CEDC/South Chennai,
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S.SOUNTHAR, J.

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