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WP.No.45932

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.12.2025

CORAM

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

WP.No.45932 of 2025
and WMP.No.51230 & 51231 of 2025

1.Palaniammal
2.Suseela

.. Petitioners

Versus

1. The Assistant Engineer
Tamilnadu Electricity Board
Kumaramangalam
Tiruchengode Taluk, Namakkal District

2.The Executive Engineer
TANGEDCO
Namakkal TANGEDCO Division
No.32/2, Subha Complex
Thiruchengode Road, Namakkal

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records on the file of the 1st respondent pertaining to application reference number 200041830325123, to quash the online cancellation of DCW order dated 21.04.2025; and consequently direct the respondents to execute the DCW work on the petitioner's land bearing Survey No.163/1A3, measuring 0.5.50 ares, situated at Pokkam Palayam Village, Tiruchengode Taluk, Namakkal District.

For Petitioner : Mr.S.Makesh

For Respondents : Mr.S.Kalaiselvan, Standing Counsel

ORDER

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



WP.No.45932

WEB COPY

2. This writ petition has been filed challenging the order of the 1st respondent pertaining to application reference number 200041830325123, to quash the online cancellation of DCW order dated 21.04.2025; and consequently direct the respondents to execute the DCW work on the petitioner's land bearing Survey No.163/1A3, measuring 0.5.50 ares, situated at Pokkam Palayam Village, Tiruchengode Taluk, Namakkal District.

3. WMP.No.51230 of 2025 has been filed to permit the petitioners to file a single writ petition. This petition is ordered, on payment of separate court fee.

4. It is the contention of the petitioner that the respondent TNEB has erected the EB lince crossing our vacant land, hence, they are unable to construct the house. The petitioner has made representation dated 17.03.2025 with necessary documents requesting Deposit Contribution Work, since, there was no response to the application, the petitioner has made application under RTI Act. Later, the petitioner came to know that his online application was rejected on the ground that no revenue documents were provided and a rough sketch was missing. Hence, this petition.

5. It is the contention of the learned counsel for the petitioner that he has



WP.No.45932

submitted all the relevant documents, however, the same has not been considered and his online application has been cancelled.

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6. The learned standing counsel has filed status report and would submit that the DCW application no.200041830325123 was applied for shifting of old pole in S.F.No.168/1A3. On inspection the field, SF.No.168/1A3, it was found that a pole is situated with 1 no. Agriculture service SC.No.04-183-008-255 in the name of Muthusamy and other domestic services. The domestic service in that pole was effected on 27.02.1988 and agriculture service was effected on 26.02.1994. The S.R.Rathinam (legal heir of Muthusamy) made objection to shift the pole stating that the property is an ancestral property based on Doc.No.987/1962 and 989/1962. The petitioner has got patta for the land in their possession. S.R.Rathinam made an objection letter dated 02.04.2025 not to change or shift the pole. The same was informed to the petitioner and requested to produce the revenue records and other information. The petitioner has not come forward to rectify the above queries after giving sufficient time. Due to the above reason, the application was forwarded for cancellation to the higher official and the application was cancelled on 24.01.2025.

7. As per TNERC Regulation 5(6) of the TNE Supply Code and Regulation 37 of TNE Distribution Code, the cost of shifting of HT/LT services and shifting of lines/structures/equipments under Deposit Contribution Works for LT/HT shall be



WP.No.45932

borne by the consumer. The consumer shall pay the estimate cost of shifting in advance in full. The shifting work will be taken up by TANGEDCO, only after the payment is made in full. It is also submitted that TNPDCCL is ready to DCW work, if the petitioner submits a new online application with revenue records and valid documents.

8. Heard both sides and perused the materials placed on record.

9. Considering the fact that the application has been cancelled on the ground that the petitioner has not submitted relevant documents, now, status report is also filed indicating that if the petitioner places all the revenue records and the valid documents, the TNPDCCL wil consider the application and is ready to do the DCW work. Such view of the matter, let the petitioner submit an online application with all the relevant records and valid documents afresh and pay the necessary charges as required under the TNERC Regulation and TNE Distribution Code and on such application is filed being filed, the respondents are directed to consider the application of the petitioner and pass appropriate order on merits and in accordance with law within a period of one month thereafter.

10. Such view of the matter, this writ petition stands disposed of. No costs.

Consequently, connected miscellaneous petition stands closed.

04.12.2025

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Index :Yes/No

Internet :Yes/No



WEB COPY



WP.No.45932 of 2025

N. SATHISH KUMAR, J.

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To

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2.The Executive Engineer
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