



W.P.(MD)No.1544 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : **28.01.2025**

CORAM:

THE HONOURABLE **MRS.JUSTICE L.VICTORIA GOWRI**

W.P.(MD)No.1544 of 2025

V.Sridharan

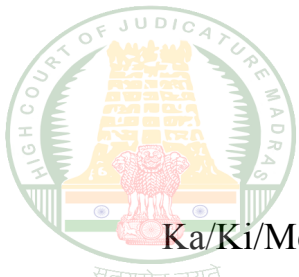
... Petitioner

Vs.

1. The Superintending Engineer,
Tamil Nadu Generation and Distribution Corporation Ltd.,
(TANGEDCO),
Formerly Known as TNEB,
Trichy District.
2. The Executive Engineer (Operation and Maintenance),
Tamil Nadu Generation and Distribution Corporation Ltd.,
TANGEDCO,
Formely Known as TNEB,
Musiri, Trichy District.
3. The Assistant Engineer,
Tamil Nadu Generation and Distribution Corporation Ltd.,
TANGEDCO,
Formely Known as TNEB,
Thathaiyangarpettai West,
Musiri, Trichy District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India for
issuance of a Writ of Certiorarified Mandamus to call for the records pertaining
to the impugned Letter No.E.Mi.Po/E and



W.P.(MD)No.1544 of 2025

Ka/Ki/Me/Tha.Pettai/Go.Thani/A.No.4-1/2023, dated 11.04.2023 issued by the 3rd respondent and quash the same on the ground that the same is arbitrary, illegal and without any legal basis and consequently directing the respondents to shift E.B.Service connection No.286-004-75 stands in the name of the petitioner from well comprised in S.No.281/3 to the petitioner's Patta Land in S.No.281/2 situated at Valayeduppu Village, Musiri Taluk, Trichy District.

For Petitioner : Mr.A.Joel Paul Antony
For Respondents : Mr.S.Deenadhayalan
Standing Counsel

ORDER

Challenging the order passed by the respondent Corporation dated 11.12.2023 requiring the petitioner to produce no objection certificate from the joint pattadhars, this writ petition is filed.

2. The agricultural electricity connection bearing No.286-004-75 originally stood in the name of the petitioner's mother. After her death, the petitioner made an application to transfer the same in his name. However, the said application was not considered by the respondent Corporation. Hence, the petitioner filed a writ petition before this Court in WP(MD)No.20209 of 12018

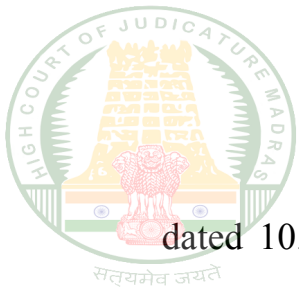


W.P.(MD)No.1544 of 2025

seeking to direct the respondent Corporation to transfer the name of the aforesaid agricultural electricity service connection in the name of the petitioner and this Court, by order dated 13.03.2019 allowed the said writ petition by directing the respondent Corporation to effect the name transfer. Pursuant to the said order, the respondent Corporation has duly changed the name of the aforesaid agricultural electricity service connection in the petitioner's name. Thereafter, the petitioner made an application to shift the agricultural electricity service connection from S.No.281/3 to S.No.281/2 situated at Valayeduppu Village, Musiri Taluk, Trichy District. However, considering the same, the impugned order came to be passed requiring the petitioner to obtain no objection certificate from the stakeholders.

3. The learned standing counsel appearing for the respondent Corporation on instructions submitted that without no objection certificate, the respondents cannot shift the agricultural electricity service connection from one survey number to another survey number.

4. Per contra, the learned counsel appearing for the petitioner, by relying upon the amendments effected by the Tamil Nadu Electricity Regulatory Commission to the Tamil Nadu Electricity Supply and Distribution Codes,



W.P.(MD)No.1544 of 2025

dated 10.09.2020, submitted that submission of no objection certificate from other stakeholders of the joint pattadhars is not mandatory.

5. Heard the learned counsel on either side and perused the materials placed before this Court.

6. A careful perusal of the records would reveal that the amended Tamil Nadu Electricity Supply and Distribution Code, has facilitated the applicants to produce the indemnity bond in the absence of consent from the joint pattadhars and the relevant portion is extracted as follows:

“Application and entry of readiness procedure eased:

- In case of joint ownership of the well, if the applicant is unable to get the consent letter from the co-owner(s), the applicant can produce indemnity bond in lieu of said consent. The Application shall be accepted and registered.”*

7. This Court is of the considered view that the petitioner may be directed to produce the indemnity bond and accordingly, the petitioner is directed to produce the indemnity bond as aforesaid and on receipt of the same, the respondent Corporation is directed to transfer the agricultural electricity



W.P.(MD)No.1544 of 2025

service connection No.286-004-75 stands in the name of the petitioner from

S.No.281/3 to S.No.281/2 situated at Valayeduppu Village, Musiri Taluk,

Trichy District. This writ petition is accordingly allowed. No costs.

28.01.2025

NCC : Yes / No

Index : Yes / No

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W.P.(MD)No.1544 of 2025

L.VICTORIA GOWRI, J.

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Order made in
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