



W.P.(MD)No.23725 of 2018

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Reserved On : 31.01.2025

Delivered On : 28.04.2025

CORAM:

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD)No.23725 of 2018

R.Punniyamoorthy

... Petitioner

Vs.

1.The Superintending Engineer,
Tamil Nadu Generation and Distribution Corporation (TANGEDCO),
Pudukkottai District.

2.The Executive Engineer,
Operation and Maintenance,
Tamil Nadu Generation and Distribution Corporation (TANGEDCO),
Pudukkottai District.

3.The Assistant Executive Engineer,
Operation and Maintenance,
Tamil Nadu Generation and Distribution Corporation (TANGEDCO),
Gandharvakottai,
Pudukkottai.

4.The Assistant Engineer,
Operation and Maintenance,
Tamil Nadu Generation and Distribution Corporation (TANGEDCO),
Puna Kulam,
Pudukkottai.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to grant agriculture service connection in Survey No.135/15A or Survey No.134/9F



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as per the application Registration No.116, dated 17.07.1999.

For Petitioner

: Mr.R.Murali

For Respondents

: Mr.S.Deenadhayalan
Standing Counsel

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ORDER

This Writ Petition is filed, seeking to direct the respondents to grant agriculture service connection in Survey No.135/15A or Survey No.134/9F, as per the application Registration No.116, dated 17.07.1999.

2.Heard the learned counsels on either side and carefully perused the materials available on record.

3.The petitioner is a senior citizen as well as an agriculturer approximately owning 4.33 acres of agricultural lands in various small portions available in Survey No.145/1 in 0.035 hectare, Survey No.141/11 in 0.082 hectare. Survey No.113/3 in 0.004.5 hectare, Survey No.114/2 in 0.003 hectare, Survey No.116/1F in 0.013 hectare, Survey No.118/1 in 0.003 hectare, Survey No.118/9 in 0.003 hectare, Survey No.118/15 om 0.004 hectare, Survey No.118/20 in 0.007 hectare, Survey No.120/1A in 0.027.5 hectare, Survey No.134/3 in 0.008.5 hectare, Survey No.134/9F in 0.012 hectare, Survey No.135/15 in 0.006 hectare, Survey No.146/7C in 0.032 hectare, Survey No.144/3 in 0.016 hectare, Survey No.145/5 in O. 022.5 hectare. The Survey No.135/15 is recorded as Vithu Tharisu. The



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petitioner submitted application for free agriculture service connection along with all revenue documents in Survey No.135/15 to the respondent on 17.07.1999 and the respondent issued Registration No.116/1999-2000 under Normal Scheme.

4.The petitioner received communication from the 2nd respondent stating to show readiness in Survey No.135/15 dated 30.10.2010. Immediately, the petitioner approached the respondents along with revenue documents. After inspection, the 4th respondent advised to change the survey number and obtain free agriculture connection. Believing those words of the 4th respondent, the petitioner closed the well in Survey No. 135/15 and availed agriculture loan from Axis Bank, on 31.08.2013, for an amount of Rs.17,25,206/- and had dug a bore-well in Suvey No.134/9F and had spent approximately Rs.5 Lakhs.

5.Thereafter, he approached the 4th respondent along with the application for change of survey number. Following which, they inspected that spot. The respondents returned the petitioner's application every time without giving reason. Repeatedly the petitioner approached the respondents and the respondents refused to accept the application and instructed to send the application to other respondent's office every time. On 15.04.2016, the 2nd respondent denied to grant agriculture service connection stating that the land in Survey No.135/15 is house site and returned the



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application. The petitioner applied agriculture service connection as early as in the year of 1997 and after all these years, all of a sudden, the respondents rejected the petitioner's application after 16 years refusing to provide agriculture service connection for the reason that the period of submission of readiness, that is, a period of five years and 90 days has lapsed. Hence, this Writ Petition is filed.

6.However, without challenging the rejection order of the second respondent dated 15.04.2016, the writ petitioner has filed the Writ of Mandamus, seeking to direct the respondents to grant agriculture service connection, considering the petitioner's application dated 17.07.1999.

7.In view of the same, giving liberty to the petitioner to challenge the order of rejection passed by the second respondent in proceedings bearing க.எண்.செ.பொ இகா புது தொநுஉ கோ. அ.எண்.191 - 16 dated 15.04.2016, this Writ Petition is disposed of. There shall be no order as to costs.

28.04.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes
Mrn



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To

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L.VICTORIA GOWRI, J.

Mrn

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