



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-04-2026

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THE HON'BLE MR JUSTICE KRISHNAN RAMASAMY

WP No. 26388 of 2022

Shanmugaraj
s/o.Subramaniam, Door No.3-185, Nallampalli,
Kolarpatti Post, Pollachi, Coimbatore District-642
107.

..Petitioner(s)

Vs

1. The Block Development officer
Pollachi South Panchayat Union, Union Office
Buildings, Coimbatore Road, Pollachi-642 001.
2. The Tahsildhar
Pollachi Taluk, Pollachi-642 001.
3. The Revenue Inspector,
Kolarpatti Sub Taluk, Pollachi-642 107.
4. The Executive Engineer
Maintenance and Operations, TNEB,
Angalakurichi, Pollachi-642 007.
5. The Assistant Engineer,
TNEB, Udumalai Electricity Distribution
Taluk, Kolarpatti-642 107.

..Respondent(s)

Calling for the records pertaining to the impugned notice issued by
the 5th respondent herein in Ka. No.E.Min. Po/ E.Zha.Pe/ Ko.PaVa. Thu/
Ko.Thani/ A.No.109/2022 dated 12.09.2022 and quash the same

WP No. 26388 of 2022

For Petitioner(s):

G.Karthikeyan
A.Jagadeeswari
E.Karthik Raja
K.R.Vinodhinee



C.S.Madhuben
K.J.Sakthi Shanmugha Priya
S.Banupriya

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For Respondent(s):

Agp For R1
Govt Advocate For Rr2 & 3.
Mr.M.Abul Kalam Sc Takes Notice For Rr5 & 6.
R-4 THE EXECUTIVE ENGINEER Maintenance
And Operations, TNEB, Angalakurichi,
Pollachi-642 007.
Private Notice Permitted
Proof Filed Vide Usr.34712

Order

Challenging the impugned notice of the 5th respondent dated 12.09.2022, wherein the petitioner was called upon to get No Objection Certificate to sustain his electricity service connection, the present writ petition is filed.

2. Case of the petitioner is that he purchased agricultural land measuring 77 cents in Field S.F.No.265/4 through a Sale Deed dated 17.03.1999, wherein the petitioner dug a well measuring 18 feet x 22 feet and also obtained electricity service connection and using both his wells in his agricultural lands with a single connection. While so, the adjacent land owner one Mr.Muthumani gave a complaint on 11.11.2020, stating that the petitioner has dug a Well without permission. Based on the complaint, the 5th respondent has passed the impugned notice dated 12.09.2022, directing the petitioner to get No objection Certificate from Thippampatti Panchayat. Against which, the petitioner has



preferred this writ petition.

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3. Learned counsel for the petitioner submitted that neither the Panchayat Act nor the Revenue Standing Orders mandates to get permission from the authorities for digging a manual Well in the Patta land for agricultural purposes and the impugned notice also does not specify any provision of law requiring such permission and hence prays for quashment of the impugned order.

4. Learned standing counsel appearing for the respondent Electricity Board would submit that based on the report of the 3rd respondent dated 03.09.2021, the respondents 1 and 2 recommended that since the Wells are situated within the limit of 85 meters from a water body, the 5th respondent temporarily disconnected the electricity connection, until the petitioner obtains a no objection certificate from the Thippampatti Panchayat. Accordingly the 5th respondent passed the impugned notice.

5. Heard both sides and also perused the materials available on record.

6. This Court finds that there is no dispute that the petitioner is using the Wells solely for agricultural purposes. The electricity connection is also used only for agricultural operations. The requirement of permission is primarily to ensure that the land is not used for commercial exploitation. Even assuming that



permission is required, the authorities must verify whether the usage is for agricultural purposes. If the Well is used for agriculture, permission can be deemed to be granted. Only in cases of misuse, the question of non-compliance arise.

7. In such circumstances, this Court is of the view that there was no necessity for the 5th respondent to act upon the recommendation of respondents 1 and 2 and disconnect the electricity supply. It is made clear that the electricity connection shall not be disconnected. The respondents are directed to ensure that all necessary permissions, if required, are processed without disturbing the petitioner's possession within a period of two weeks from the date of receipt of a copy of this order. In the event that permission is not granted, within two weeks as stated above, it shall be deemed to be automatic.

8. This writ petition is disposed of with the above directions. No costs.

24-04-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

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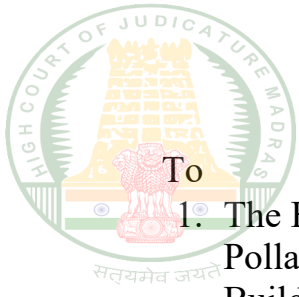


KRISHNAN RAMASAMY J.

SK

WP No. 26388 of 2022

24-04-2026



To

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