

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:14.05.2008

CORAM:

THE HONOURABLE MR.JUSTICE G.RAJASURIA

W.P.NO.10393 of 2008

M. Jayalakshmi

..Petitioner

vs

The Executive Engineer O & M  
Tamil Nadu Electricity Board  
Vellore Distribution System,  
Arakkonam,  
Vellore District.

..Respondent

Writ Petition is filed under Article 226 of the Constitution of India for the issuance of Writ of Certiorified Mandamus calling for the records of the respondent relating to his letter No. Sa.Pa/O & M/Ark/Tha.Na.Vu/F Vva/51.1/06 dated 28.02.2008 and quash the same and direct the respondent to process the petitioner's application for grant of an agricultural service connection as per the seniority of the application dated 09.05.1989 submitted by the petitioner's late father Kuppuswamy.

For petitioner :Mr.G. Jeremiah

For respondent :Mr.L.S.N.Hasan Fizal,  
Government Advocate for  
Mr. S.N. Kirubanandam

ORDER

Heard. This Writ Petition is filed to quash the order of the respondent relating to his letter No. Sa.Pa/O & M/Ark/Tha.Na.Vu/F Vva/51.1/06 dated 28.02.2008 and to direct the respondent to process the petitioner's application for grant of an agricultural service connection as per the seniority of the application dated 09.05.1989 submitted by the petitioner's late father Kuppuswamy.

2. A resume of the facts absolutely necessary and germane for the disposal of this Writ Petition would run thus:-

When the Writ Petitioner approached the respondent for agricultural electricity service connection, the latter raised queries relating to the ownership of the petitioner over the agricultural land relating to which electricity connection was sought for. Being aggrieved and dissatisfied by such queries, the petitioner filed this Writ Petition.

3. Learned counsel for the petitioner placing reliance on the decision of this Hon'ble Court dated 28.04.2005 in W.P.No.14201 of 2005 would develop his argument that at the most the respondent could demand for Indemnity Bond under Rule 27.4 of the Tamil Nadu Electricity Distribution Code and nothing more. Learned counsel for the respondent would submit that in the interest of justice alone, the respondent asked the petitioner to furnish the particulars relating to the ownership. Hence, in such circumstances, the following direction is issued:-

"The respondent shall give Electricity Service Connection to the petitioner on the petitioner furnishing Indemnity Bond as contemplated under Rule 27.4 of the Tamil Nadu Electricity Distribution Code."

3. With the above direction, the Writ Petition is disposed of. No costs.

Sd/-  
Asst. Registrar/ Vacation Officer

/true copy/

Sub Asst. Registrar.

mra

To

The Executive Engineer O & M  
Tamil Nadu Electricity Board  
Vellore Distribution System,  
Arakkonam,  
Vellore District.

1 cc to Mr.G. Jeremiah, Advocate, Sr. 26751

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