

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 09.04.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.10249 of 2015
and M.P.No.1 of 2015

R.Ramakannan

.. Petitioner

Versus

1.The Assistant Engineer,
Tamil Nadu Electricity Board,
Red Hills, Chennai-52.

2.Ingrit Leena

.. Respondents

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India, seeking for a writ of mandamus, directing the 1st respondent not to provide electricity connection in the name of the 2nd respondent pertaining to the property measuring 3.86 Acres comprised in S.No.552/1B, 552/1C, 552/1D situated at No.14, Pammathukulam Village, Ambattur Taluk, Tiruvellore District.

For Petitioner : Mr.S.Udhayakumar

For Respondents : Mr.P.R.Dhilipkumar [for R1]

O R D E R

By consent, the main writ petition itself is taken up for final disposal.

2. The petitioner and his son by means of a registered Sale Deed dated 18.05.2011 (Registered Document No.5213 of 2011) on the file of the Sub Registrar, Red Hills, purchased 1/3rd undivided share of the lands comprised in survey No.552/1B, 552/1C and 552/1D aggregating to 3 acres and 86 cents situated at Pammathukulam Village, Ambattur Taluk, Tiruvellore District. It is the case of the petitioner that the second respondent viz., Ingrit Leena, managed to obtain a patta in her name, on the strength of a fraudulent document. In this connection, the original owners had already given representations to the jurisdictional Collector to cancel the patta and after due enquiry, it was cancelled and joint patta No.12133 in favour of the petitioner and four others were issued on 02.12.2014. The petitioner on coming to know that the second respondent is making an attempt to get electricity service connection, without putting the first respondent on notice the real facts, has submitted a representation/objection dated 16.03.2015 and since it has not been favoured with any kind of response, came forward to file this writ petition.

3. Heard Mr.S.Udhayakumar, the learned counsel appearing for the petitioner and Mr.P.R.Dhilipkumar, learned standing counsel, who accepts notice for the first respondent.

4. Though, the petitioner has prayed for a larger relief, in the facts and circumstances of this case, this Court is of the view that it would suffice to direct the first respondent to consider and dispose of the objection/representation dated 16.03.2015, within a stipulated time frame, after hearing the persons concerned.

5. In the result, this Court, without going into the merits of the objection/representation submitted by the petitioner, directs the first respondent to consider and dispose of the objection/representation dated 16.03.2015 submitted by the petitioner, on merits and in accordance with law, after putting the second respondent on notice and pass orders as expeditiously as possible, not later than six weeks, from the date of receipt of a copy of this order.

6. The writ petition is disposed of, accordingly. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

ars/gya

To

The Assistant Engineer,
Tamil Nadu Electricity Board,
Red Hills, Chennai-52.

+ 1 cc to Mr.S. Udaya Kumar, Advocate SR.20028

LRS (CO)
EU 24.04.2015

W.P.No.10249 of 2015

LRS (CO)
Eu 24.04.2015