

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.03.2015

CORAM

THE HONOURABLE Mr.JUSTICE M.DURAI SWAMY

W.P.No.1519 of 2015

Mrs.Sajeetha Begum

.. Petitioner

vs.

1. The Tamil Nadu Electricity Board
rep.by its Managing Director
NPKRR Maaligai
144, Anna Salai
Chennai 600 002.

2. The Assistant Executive Engineer
TNEB, Otteri
Chennai 600 012.

3. S.Varalakshmi

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of mandamus to direct the second respondent to dispose of the petitioner's representation dated 25.11.2014.

For Petitioner : Mr.K.Manimaran

For Respondents : Mr.P.R.Dhilip Kumar
1 & 2 Standing Counsel for TNEB
R3-No appearance

ORDER

The above writ petition has been filed by the petitioner to issue a writ of mandamus directing the second respondent to dispose of the petitioner's representation dated 25.11.2014.

2. According to the petitioner, she is the lawful owner of the land and building situated at Old No.41, New No.9/1, Sheikh Mohideen Subedar Street, Perambur, Chennai-12. Further it is stated that while she was in financial crisis, she borrowed a sum of Rs.10 lakhs from the third respondent and had executed a mortgage deed in her favour to safe guard her interest. The third respondent also took the original title deeds and informed her that she will retain the title deeds and return back the same as and when the petitioner repays the loan amount. Later, the petitioner came to know that the document executed on 23.07.2008, was not a mortgage deed and it is a sale deed in favour of the third respondent. Therefore, the petitioner has filed a civil suit in O.S.No.9935 of 2010 on the file of the V Additional Judge, Fast Track Court, Chennai for declaring the sale deed as null and void.

3. In the counter affidavit filed by the respondents 1 and 2, the second respondent has stated that the third respondent has also filed a suit in O.S.No.744 of 2011 on the file of the City Civil Court, Chennai.

4. When the matter is pending thus, the petitioner gave a representation to the second respondent to put up six sub meters in the above said premises in order to calculate the consumption charges easily. According to the petitioner, inspite of receiving the representation dated 25.11.2014 on 28.11.2014, the second respondent has not disposed of the same till this date. Hence the present writ petition.

5. Mr.P.R.Dhilip Kumar, learned Standing Counsel appearing for the respondent-Tamil Nadu Electricity Board submitted that the second respondent may be directed to dispose of the representation on merits and in accordance with law within a stipulated time.

6. Having regard to the submissions made by the learned counsel on either side, the second respondent is directed to consider the petitioner's representation dated 25.11.2014 and dispose of the same on merits and in accordance with law, within a period of three weeks from the date of receipt of a copy of this order.

7. With these observations, this writ petition is disposed of. No costs.

Sd/-
Asst. Registrar.

/true copy/

Sub Asst. Registrar.

To

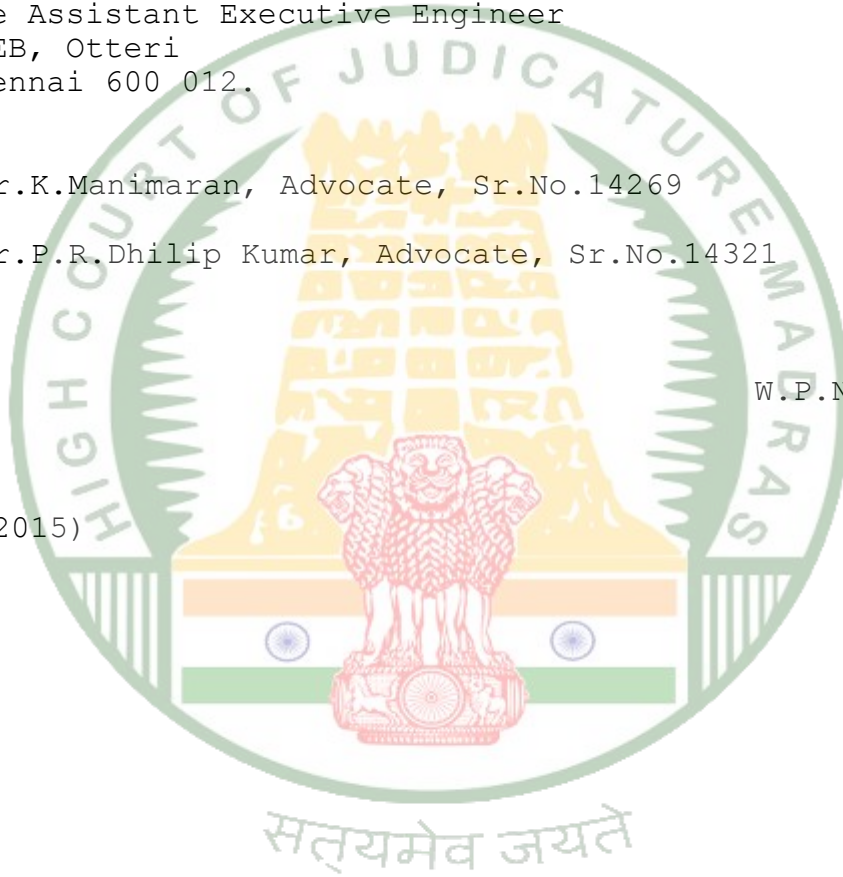
1. The Managing Director
The Tamil Nadu Electricity Board
NPKRR Maaligai
144, Anna Salai
Chennai 600 002.
2. The Assistant Executive Engineer
TNEB, Otteri
Chennai 600 012.

C.C. to Mr.K.Manimaran, Advocate, Sr.No.14269

C.C. to Mr.P.R.Dhilip Kumar, Advocate, Sr.No.14321

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ER(CO)
KP(25.03.2015)



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