

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 05.06.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.15816 of 2015

K.P.Kaliyappan

.. Petitioner

Versus

- 1 The Chairman
Tamil Nadu Generation and Distribution
Corporation Limited (Formerly TNEB) No.144
Anna Salai Chennai-600002.
- 2 The Superintendent Engineer
Tamil Nadu Generation and Distribution
Corporation Limited (Formerly TNEB) South
Zone Thirumangalam Anna Nagar
Chennai-600 040.
- 3 The Executive Engineer
Tamil Nadu Generation and Distribution
Corporation Limited (Formerly TNEB) No.229
N.M.Road Avadi Chennai-600 054.
- 4 The Assistant Engineer
Tamil Nadu Generation and Distribution
Corporation Limited (Formerly TNEB)
O & M/Avadi/South Cholampedu Main Road
Thirumullaivoyal Chennai-600 062... Respondents

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India, seeking for a writ of mandamus, Directing the Fourth Respondent to consider petitioners representation dated 04.04.2015.

For Petitioner : Mr.J.Kannan

For Respondents : Mr.P.R.Dhilipkumar

Standing counsel for TANGEDCO

O R D E R

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

2. The petitioner claims that he is residing in the ground floor along with his family members and his brother is residing in the first floor of the premises bearing Door No.11, 3rd street, Santhipuram, Thiurmullaivoyal, Chennai - 62. According to the

parents and after their demise a partition suit came to be filed in O.S.No.188 of 2014 on the file of the Court of Subordinate Judge, Ponnammallee and the suit is still pending. The electricity service connection continues to remain in the name of the petitioner's father late P.S.Perumal and the meter is located in the ground floor of the premises.

3. The petitioner would further state that he is paying the electricity consumption charges for not only in respect of his portion, but also for the portion occupied by his brother and since, his brother never bothered to pay the said charges and the petitioner fearing disconnection, continued to make remittance of the electricity consumption charges. The petitioner is facing difficulty on account of the said fact and therefore, submitted a representation dated 04.04.2015, praying for a separate electricity connection in respect of the portion which is in his occupation and since, no orders came to be passed, he has filed this writ petition.

4. Heard the submissions of Mr.J.Kannan, learned counsel appearing for the petitioner and Mr.P.R.Dhilipkumar, learned standing counsel, who accepts notice for the respondents.

5. This Court, taking into consideration the limited scope of the prayer sought for by the petitioner and without going into the merits of the claim projected by the petitioner, directs the 4th respondent to consider the representation/application dated 04.04.2015 submitted by the petitioner, on merits and in accordance with law, after putting on notice, the brother of the petitioner and pass orders as expeditiously as possible and not later than six weeks from the date of receipt of a copy of this order and inform the decision taken, to the petitioner as well as to the brother of the petitioner.

6. The writ petition is disposed of, accordingly. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

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+1cc to Mr.P.R. Dhilipkumar, Advocate, S.R.No.26889
+1cc to Mr.J. Kannan, Advocate, S.R.No.26892

AD(CO)
EU(16/06/2015)

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