

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.06.2015

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.16403 of 2015

and

M.P.No.1 of 2015

Mayavel @ Ravi

.. Petitioner

Vs.

1. The Junior Engineer (O / M),
TANGEDCO, Sadayampattu,
Villupuram District.
 2. The Assistant Accounts Officer,
O/o. The Executive Engineer (O / M)
TANGEDCO, Kallakurichi,
Villupuram District.
 3. The Executive Engineer (O/M)
TANGEDCO, Kallakurichi,
Villupuram District.
- ... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents to process the petitioner's application dated 12.03.2015 and issue the name change jointly in favour of the petitioner and his brother with respect to Electricity Connection No.664 in the Well in Patta No.1335, Survey No.197/1B at Ulgangathan Village, Kallakurichi Taluk, Villupuram District.

For Petitioner : Mr.V.Manohar

For Respondents: Mr.M.Varunkumar
for TNEB

O R D E R

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

2. The petitioner claims that certain larger extent of lands in various survey numbers at Ulagangathan Village, Kallakurichi Taluk, Villupuram District were settled in his favour and his brother viz., Selvaraj jointly by his maternal grandfather by means

of a registered settlement Deed in document No.451/1982 and ever since they are in joint possession and enjoyment of the same as absolute owners. The petitioner would further state that his father, in his capacity as guardian, had obtained electricity service connection for the agricultural pump set in the Well located in Patta No.1335, Survey No.197/1B at Ulagangathan Village and thereafter, partition came into being between the petitioner and his brother in the form of a registered Partition Deed Document No.422/2011 dated 04.03.2011 wherein the properties have been divided by metes and bounds and the petitioner has got half share in the Well, 5 HP electricity Motor, Pumpset and Electricity service connection No.664 situated in survey No.197/1B. The petitioner, after effecting partition, applied for change of name for electricity service connection from the joint name and since no response is forthcoming, a legal notice dated 25.07.2014 was sent and the first respondent has returned the application with certain complaints and according to the petitioner, all the defects were complied with. Subsequently, a reminder was also sent by the petitioner on 27.04.2015 and since no response is forthcoming from the first respondent, the petitioner came forward to file this writ petition.

3. The Court heard the submissions of Mr.V.Manohar, learned counsel appearing for the petitioner and Mr.M.Varunkumar, learned counsel for TNEB, who accepts notice on behalf of respondents.

4. The petitioner has prayed for the larger relief. However, this Court, without going into the merits of the claim projected by the petitioner, directs the second respondent to consider and dispose of the petitioner's application dated 12.03.2015 as well as the re-submitted application dated 27.04.2015, in accordance with law, and pass orders within a further period of four weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

5. This Writ Petition is disposed of accordingly. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

Jr1

To

1. The Junior Engineer (O / M),
TANGEDCO, Sadayampattu,
Villupuram District.
2. The Assistant Accounts Officer,
O/o. The Executive Engineer (O / M)
TANGEDCO, Kallakurichi,
Villupuram District.
3. The Executive Engineer (O/M)
TANGEDCO, Kallakurichi,
Villupuram District.

+1cc to Mr.M. Varunkumar, Advocate, S.R.No.27971

LRS (CO)
EU (19/06/2015)

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