

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.07.2015

CORAM

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.22191 of 2015

R.Krishnan

...Petitioner

-Vs-

1. Tamil Nadu Electricity Generation and Distribution Corporation,
Represented by the
Executive Engineer,
Operation and Maintenance Division,
Arcot, Vellore District.
2. The Assistant Executive Engineer,
TANGEDCO,
Operation and Maintenance,
Kalavai, Arcot Taluk,
Vellore District.
3. The Assistant Engineer,
TANGEDCO,
Operation and Maintenance,
Kalavai, Arcot Taluk,
Vellore District.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the first respondent herein to consider the appeal dated 01.06.2015 of the petitioner, regarding grant of electricity service connection to his house at No.13, Thotti Moorthy Street, Patta Colony, Kalavai and pass orders on merits and in accordance with law within a time frame.

For Petitioner : Mr.G.Punniyakotti

For Respondents : Mr.M.Varunkumar,
Standing Counsel for TNEB

O R D E R

By consent, this Writ Petition is taken up for final disposal.

2. The petitioner claims to be in absolute possession and enjoyment of the house plot in a portion of the land admeasuring 0.0194 Sq.mtr in Survey No.381/11.15 part (old) S.No.12/213 (New) in Kalavai Village, Arcot Taluk, Vellore District, bearing patta No.309 and thereafter, he has put up temporary superstructure and he submitted an application dated 13.05.2015 to the second respondent praying for electricity service connection by enclosing necessary documents. The petitioner would further state that one of the co-sharers of the property, namely Thiru.Alayamani has issued a legal notice that a suit in O.S.No.75/2012 on the file of the District Munsif Court praying for the relief of partition and separate possession is pending and the respondents, on the basis of the said representation, did not proceed further and hence, came forward to file this writ petition.

3. Heard the submissions of the learned counsel appearing for the petitioner and Mr.M.Varankumar, learned Standing Counsel appearing for TANGEDCO, who accepts notice on behalf of the respondents 1 to 3.

4. This Court, taking into consideration the limited scope of prayer sought for by the petitioner and without going into the merits of the claim projected by the petitioner, directs the first respondent to consider and dispose of the petitioner's representation, after putting on notice the petitioner as well as Thiru.Alayamani and pass orders in accordance with law within a period of four weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner as well as Thiru.Alayamani.

5. This Writ Petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

jvm

To

1. Executive Engineer,
Tamil Nadu Electricity Generation and
Distribution Corporation,
Operation and Maintenance Division,
Arcot, Vellore District.
2. The Assistant Executive Engineer,
TANGEDCO,
Operation and Maintenance,
Kalavai, Arcot Taluk,
Vellore District.
3. The Assistant Engineer,
TANGEDCO,
Operation and Maintenance,
Kalavai, Arcot Taluk,
Vellore District.

1 CC to Mr.M.Varunkumar, Advocate SR.No. 37684

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AD (CO)
PSI (11.08.2015)



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