

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.08.2015

CORAM

THE HONOURABLE MR.JUSTICE.N.K.KIRUBAKARAN

W.P.No.6954 of 2015

P.Krishnan

.. Petitioner

.Vs.

- 1.The Executive Engineer,
Arakkonam Town & Rural,
Tamil Nadu Electricity Generation & Distribution Co.,
Arakonam.
 - 2.The Junior Engineer, (Operation & Maintenance)
Arakonam Rural-North -Division,
Tamil Nadu Electricity Generation & Distribution Co.,
Arakonam.
- ..Respondents

Prayer: This Writ petition is filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus to direct the respondents to grant sanction on the petitioner's application dated 28.10.2014 for name transfer and shifting of the Agricultural Service Connection bearing No.S.C.No.285-002-8, situated in well in Survey No:55/2B to the bore-well situated in S.No.55/5 Kizhandur Village, Arakkonam Taluk within the time limit.

For Petitioner : Mr.M.Venkatakrishnan

For Respondents : Mr.M.Varun Kumar for TNEB

ORDER

The Petitioner has got property measuring about 4.18 acres comprising Survey Nos.42/17, 42/20,45/68, 46/2A, 47/1,55/2 to 55/5 at Kizhandur Village, Arakkonam Taluk, originally the property belongs to his grand father viz, Munusamy Reddy and thereafter, his father Perumal Reddy and his uncle Chinnappa Reddy. By virtue of partition, the property was allotted to the petitioner's father Perumal Reddy, who in-turn settled the right, title and interest over the Service Connection No.285-002-8 along with other

agricultural lands in his favour under a registered settlement deed dated 26.07.2010. In the said property there is a bore-well comprised in Survey Nos.55/2B to 55/5 under Service Connection No.285-002-8. Since service connection has been standing in his father's name, the petitioner intends to transfer the service connection in his name and he has made an application to that effect and the same was returned due to wrong survey number. Even after compliance, the respondents are evading name transfer. After filing the writ petition, the order has been passed by the respondent returning the petitioner's application, stating that the petitioner has not produced legal heirs certificate and other documents.

2. Heard the learned counsel appearing for both sides.

3. In this case, by virtue of settlement deed dated 26.07.2010, the petitioner got the property from his father, irrespective of death of the petitioner's father, the respondent is bound to change the service connection in his name and he has already become owner of the property and therefore, there is no question of filing any legal heirs certificate and documents.

4. In view of the above said facts, the respondents are directed to effect name transfer in respect of S.C.No.285-002-8, taking a decision with regard to shifting of the said service connection from S.No.55/2B to the bore well situated in S.No.55/5, within a period of four weeks thereafter.

Sd/-
Asst. Registrar

/true copy/

सत्यमेव जयते
Sub Asst. Registrar.

kkd

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To

1.The Executive Engineer,
Arakkonam Town & Rural,
Tamil Nadu Electricity Generation & Distribution Co.,
Arakonam.

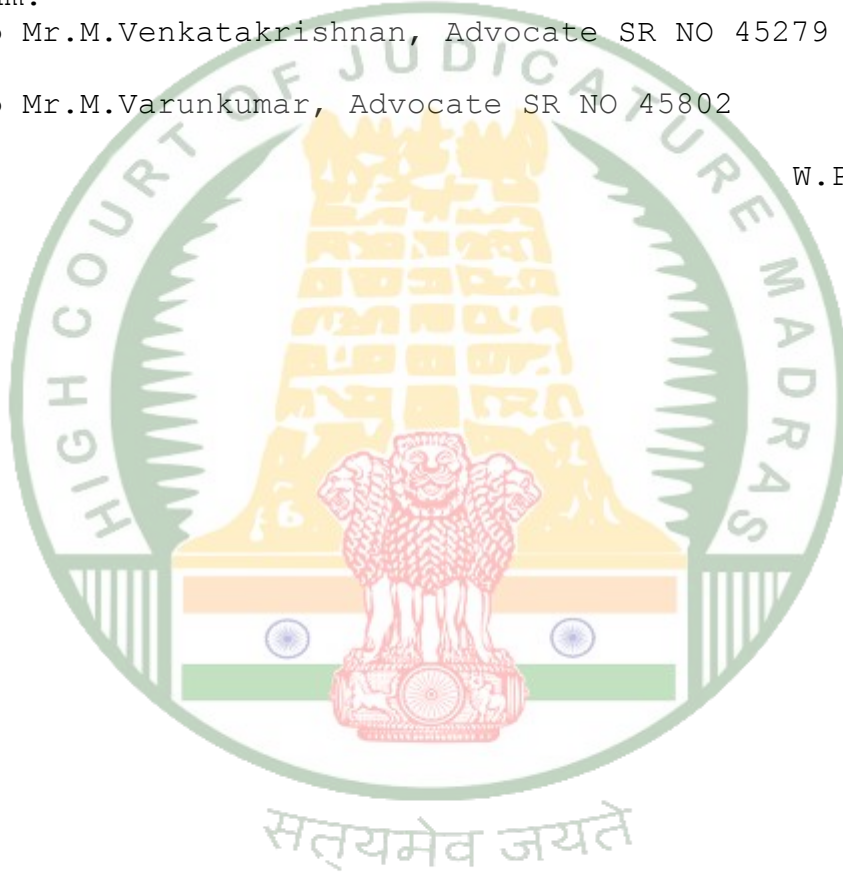
2.The Junior Engineer, (Operation & Maintenance)
Arakonam Rural-North -Division,
Tamil Nadu Electricity Generation & Distribution Co.,
Arakonam.

+ 1 CC to Mr.M.Venkatakrisnan, Advocate SR NO 45279

+ 1 CC to Mr.M.Varunkumar, Advocate SR NO 45802

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