

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 2/2/2016

C O R A M

THE HONOURABLE MR. JUSTICE T.S.SIVAGNANAM

W.P.No.8600 of 2014

K.Gurusamy

... Petitioner

Vs

1. The Chairman
Tamil Nadu Electricity Board
Anna Salai
Chennai 600 002.
2. The Chief Engineer
Tamil Nadu Electricity Board
Erode 638 009.
3. The Superintending Engineer
Namakkal Electricity Distribution Circle
Tamil Nadu Electricity Board
Namakkal 637 001.

4. K. Murugesan
(R4 Impleaded as per order
dated 04/09/2014 in MP.1/2014
in WP.8600/2014

... Respondents

Prayer : Writ petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus to direct the first respondent herein to consider the representation of the petitioner dated 29/7/2013 and take action thereon.

For Petitioner ... Mr.S.Saravanan

For respondents ... Mr.S.K.Rameshuwar for R.R.1 to 3
Mr.P.Tamilkumaran for R.4.

O R D E R

With the consent of the learned counsel for the parties, the main writ petition is taken up for final disposal.

2. Heard Mr.S.Saravanan, learned counsel for the petitioner, Mr.S.K.Rameshuwar for the respondents 1 to 3 and Mr.P.Tamilkumaran for the fourth respondent.

3. This writ petition has been filed praying to direct the first respondent herein to consider the representation of the petitioner dated 29/7/2013 and take action thereon.

4. The dispute between the petitioner and the fourth respondent is a civil dispute, pertaining to the right over the well. The petitioner does not dispute the fact that there is a co-owner to the property. But his case is that certain documents which have recognised the co-ownership of the fourth respondent has been cancelled. However, as on date when service connection was granted, the fourth respondent was unable to satisfy the authorities. Therefore, if the petitioner has got certain documents in his possession which are of subsequent date, it is open to the petitioner to approach the third respondent with those documents.

5. Thus, this writ petition is disposed of, with liberty to the petitioner, to submit a fresh representation, along with supportive documents as to on what basis, the petitioner claims that the documents produced by the fourth respondent has been cancelled or the revenue authority has given a specific order, stating that the name of the fourth respondent has been deleted from the patta, etc. If such a representation is given, the third respondent, shall consider the same, after notice to the petitioner and the fourth respondent. Till such orders are passed, service connection of the fourth respondent shall not be disturbed. The above direction shall be completed, within a period of eight weeks, from the date of receipt of the representation, by the third respondent. No costs.

Sd/-

Asst.Registrar

/true copy/

सत्यमेव जयते

Sub Asst. Registrar

mvs.

To

1. The Chairman
Tamil Nadu Electricity Board
Anna Salai
Chennai 600 002.
2. The Chief Engineer
Tamil Nadu Electricity Board
Erode 638 009.

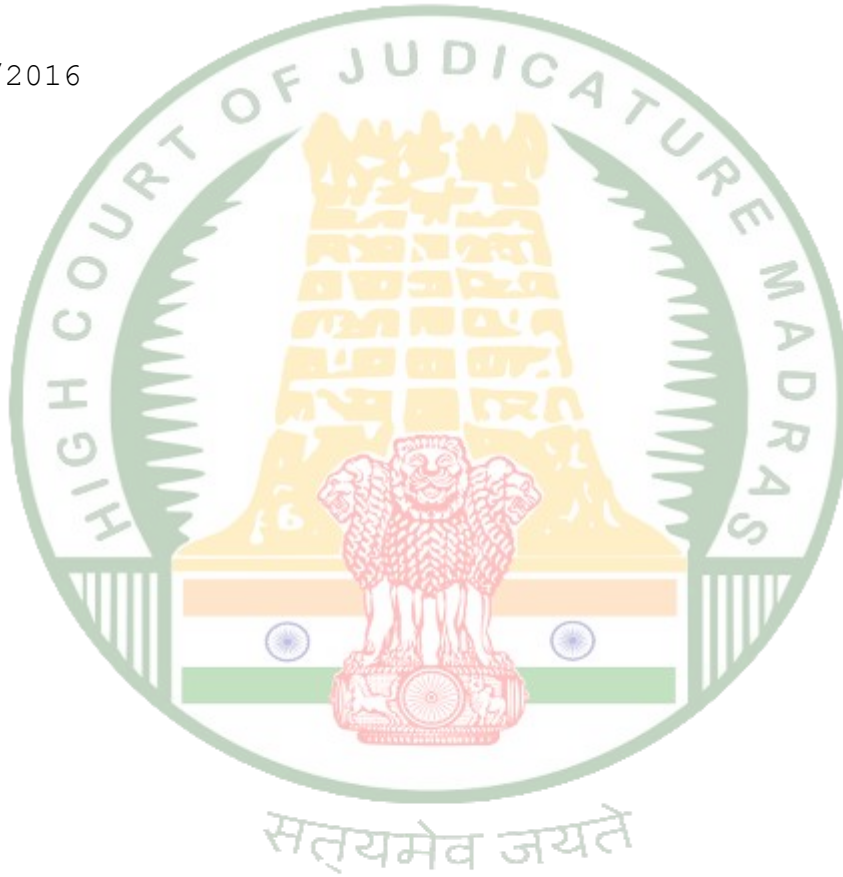
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3. The Superintending Engineer
Namakkal Electricity Distribution Circle
Tamil Nadu Electricity Board
Namakkal 637 001.

+1cc to M/s. P.Thamizh Kumar, Advocate Sr.7376
+1cc to M/S S.K.Raameshuwar, Advocate Sr.7033
+1cc to M/S S.saravanan, Advocate Sr.6784

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RSI (CO)
RVR 15/02/2016



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