

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 15.02.2016

Coram

THE HON'BLE MR.JUSTICE T.S.SIVAGNANAM

Writ Petition No.6812 of 2014

and

M.P.No.1 of 2014

K.Sivalingam

...Petitioner

Vs.

1. The Chairman,  
The Tamil Nadu Electricity Board,  
800, Anna Salai, Chennai - 600 002.
  2. The Assistant Engineer (Town)  
(Operation and Maintenance)  
Tamil Nadu Electricity Board,  
Thiruvannainallur,  
Thirukovilur Taluk, Villupuram District.
  3. S.Gnanammal  
(R-3 impleaded as per order dated 21.08.2014,  
passed in M.P.No.2 of 2014 of this Writ Petition)
- ...Respondents

Writ Petition filed under Article 226 of the Constitution of India, for issuance of Writ of Mandamus, directing the second respondent to give electricity service connection to the petitioner's house property, measuring an extent of 1000 sq.ft (or 93. sq.meters) wet land comprised in Re.Survey No.337/3B and 500 sq.ft., ( or 47 sq. meters) in wet land Re-survey No.337/3B, totally measuring to an extent of 1500 sq.ft. ( or 140 sq.mtrs) situate at Thiruvannainallur, Thiruvilur Taluk, Villupuram District.

For Petitioner : Mr.A.Chandrasekar  
For Respondents 1 & 2 : Mr.M.Varunkumar  
For Respondent 3 : Notice unserved

O R D E R

This Writ Petition is filed for issuance of a Writ, in the nature of mandamus, directing the second respondent to give electricity service connection to the petitioner's house property, situate at Thiruvannainallur, Thiruvilur Taluk, Villupuram District.

2. Heard the learned counsels appearing for the respective parties.

3. The application filed by the petitioner for grant of electricity service connection to his property, has not been considered by the second respondent on the ground that the third respondent is objecting to the same. Though the third respondent was impleaded, and notice was sent, the same was returned unserved. It is seen that, as on date, the petitioner's application has not been rejected. But, in the counter affidavit filed by first and second respondents, there seems to be certain references to Revision Petitions, being C.R.P.Nos.511 and 512 of 2012, which is pending before this Court, and the said Civil Revision Petitions are the outcome of the suit filed by the third respondent in respect of the property in question. The petitioner would state that he is not a party to the said civil proceedings. In any event, the second respondent cannot keep the application for grant of electricity service connection indefinitely pending. He has to take decision in the matter in accordance with law.

4. Therefore, the second respondent is directed to verify the documents furnished by the petitioner, and, if the second respondent is satisfied that there is no prohibitory order passed in any civil proceedings, where, the petitioner is party, then, after perusing the documents and getting necessary safeguards by way of indemnity bond, the second respondent shall consider the petitioner's application for grant of electricity service connection with regard to the property in question.

5. The aforesaid exercise shall be completed by the second respondent within a period of eight weeks from the date of receipt of a copy of this order.

6. With the above direction and observation, the Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.  
sd

S/d-  
Assistant Registrar (CCC)

True Copy

Sub-Assistant Registrar

To

1. The Chairman,  
The Tamil Nadu Electricity Board,  
800, Anna Salai, Chennai - 600 002.

2. The Assistant Engineer (Town)  
(Operation and Maintenance)  
Tamil Nadu Electricity Board,  
Thiruvannainallur,  
Thirukovilur Taluk, Villupuram District.

+ 1 cc to Mr.M.Varunkumar, Advocate SR 10106

+ 1 cc to Mr.A.Chandrasekar, Advocate SR 9567

kji(co)  
prk23/2

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