

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.04.2016

CORAM

THE HONOURABLE MR. JUSTICE T.S. SIVAGNANAM

W.P.NO.16846 OF 2016

S.Radha

.. Petitioner

Vs.

1.The Assistant Engineer
O&M / EAST / Ashok Nagar
Tamil Nadu Electricity Board
Chennai - 600 083.

2.S.Jothi

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of Writ of Certiorarified Mandamus, to call for the records on the file of the first respondent made in impugned order vide Ka.Na.A.E/Ashok Nagar East Section POOKO N.No.- dated 01.04.2016 and quash the same and directing the first respondent herein to effect a new electricity service connection in petitioner name with regard to the petition house property bearing No.15/8, 29th Street, Thiruvalluvar Nagar, Ashok Nagar, Chennai - 600 083 on a date fixed by this Court under Regulation 27(4) of the Tamil Nadu Electricity Distribution Code 2004 on the basis of petitioner's application dated 01.04.2016.

For Petitioner : Mr.L.G.Sagadevan

For Respondent-1 : Mr.S.K.Raameshuwar
Standing Counsel for TNEB

O R D E R

Heard Mr.L.G.Sagadevan, learned counsel appearing for the petitioner and Mr.S.K.Raameshuwar, learned Standing Counsel, accepting notice on behalf of the first respondent. By consent of the learned counsel on either side, the writ petition is taken up for final disposal.

2.The petitioner claims herself to be the owner of the premises, bearing Door No.15/18, 29th Street, (front portion) Thiruvalluvar Nagar, Ashok Nagar, Chennai - 600 083, and has sought for electricity service connection. The respondent has informed the petitioner, by communication dated 01.04.2016, that the electricity service connection has been given to one Tmt.S.Jothiammal, based on the orders, passed by this Court, in W.P.No.26420 of 2001 and O.S.No.2095 of 2012, after considering the pension benefit certificate, payment receipts to the Tamil Nadu Slum Clearance Board as well as the other connected records.

3.The petitioner would state that she is the legally wedded wife of Late Shanmugam. According to the petitioner, the said S.Jothiammal is the concubine of Late Shanmugam. However, this allegation cannot be gone into in this writ petition, since this Court is inclined to dispose of the writ petition at the admission stage itself.

4.In the light of the above, there will be a direction to the first respondent to issue notice to the petitioner as well as to the second respondent and the petitioner may be furnished with the copies of the documents, which the second respondent has produced. Thereafter, it is open to the petitioner to seek appropriate relief, before appropriate forum. The above direction shall be complied with by the first respondent, as expeditiously as possible.

5.The writ petition is disposed of with the above direction. No costs.

Sd/-
Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

TK

To

The Assistant Engineer
O&M / EAST / Ashok Nagar
Tamil Nadu Electricity Board
Chennai - 600 083.

1 cc to Mr.S.K. Rameshwar, Advocate, Sr. 27344
1 cc to Mr.C.G. Sagadevan, Advocate Sr. 27484

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