

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:25.07.2016

CORAM

The Honourable MR. JUSTICE N.KIRUBAKARAN

W.P.No.24692 of 2016

Mary Malarkodi

[Petitioner]

Vs

- 1 The Chairman
Tamilnadu Electricity Board Anna Salai
Chennai-2
- 2 The Assistant Engineer
Tamilnadu Electricity Board Thirunindravur
Thiruvallore District [Respondents]

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus directing the respondents to provide separate Electricity Connection to the petitioner based on her application dated 17.6.2016.

For Petitioner : No appearance

For Respondents : Mr.S.K.Rameshwar, SC

ORDER

Even though the writ petition has been posted today under the caption "for dismissal", when the matter is taken up for hearing, there is no appearance on behalf of the petitioner. However, this Court perused the records available on record and passes the following order on merits.

2. The writ petition has been filed for the issuance of a writ of mandamus directing the respondents to provide separate Electricity Connection to the petitioner based on her application dated 17.6.2016.

3. Mr.S.K.Rameshwar, learned Standing Counsel takes notice for the respondents.

4.1 The petitioner is residing in the property to an extent of 13.5 cents, which is a Natham Poramboke land, comprised in Survey No.211/27, Nemillichery Village. The said property was originally enjoyed by her grand father Edward Komagan. The petitioner, as a grand daughter of the said Edward Komagan, is in occupation of a portion of the aforesaid

land, by putting up a superstructure for the past many years.

4.2 Though the said Edward Komagan, grand father of the petitioner got electricity connection in his name, the petitioner had applied for a separate electricity connection to her hut on 17.06.2016, by enclosing the ration card, gas connection number and nativity certificate, to prove that she is residing in the said place. However, the said application has not been considered. Hence, the petitioner is before this Court.

5. Heard the learned Standing counsel for the respondents.

6. Even according to the petitioner, the property is a Natham Poramboke and the same has been encroached by her grand father. In the said encroached land, the petitioner is stated to be residing in a portion of the land in a hut. Enclosing ration card, gas connection number and nativity certificate, the petitioner sought for separate electricity connection through an application dated 17.06.2016. Since the same has not been considered so far, this Court directs the respondents, especially the 2nd respondent, to consider the petitioner's application dated 17.06.2016 for separate electricity connection and pass appropriate orders, as per law and on its own merits, within a period of six weeks from the date of receipt of a copy of this order.

The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CCC)

//True Copy// सत्यमेव जयते

Sub Assistant Registrar

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To

1 The Chairman
Tamilnadu Electricity Board Anna Salai
Chennai-2

2 The Assistant Engineer
Tamilnadu Electricity Board Thirunindravur
Thiruvallore District

1 cc to M/s.S.K.Rameshuwar, Advocate, sr.42058

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kra 08.08.2016