

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 16.03.2016

Coram

The Hon'ble Mr.Justice T.S.Sivagnanam

Writ Petition No.9630 of 2016
and
W.M.P.No.8659 of 2016

Pannerselvam

...Petitioner

Vs.

1. The Junior Engineer (Operation & Maintenance)
Tamil Nadu Generation and
Distribution Corporation (TANGEDCO)
Brammadesam, Marakanam Tk.
2. The Executive Engineer (Operation & Maintenance)
Tamil Nadu Generation and
Distribution Corporation (TANGEDCO)
Tindivanam.
3. The Superintending Engineer,
Tamil Nadu Generation and
Distribution Corporation (TANGEDCO)
Villupuram.
4. Jaganathan

..Respondents

Writ Petition filed under Article 226 of the Constitution of India, for the issuance of a Writ of Mandamus forbearing the respondents 1 to 3 from shifting or transforming the electricity service connection No.440 from the petitioner's agricultural land, comprised in New S.No.85/10, in Nalmukkal Village, Marakanam Taluk, based on the representation, dated 09.02.2016, which was pending before the second respondent.

For Petitioner : Mr.G.Mohammed Aseef
For Respondents 1 to 3 : Mr.Varun kumar (TNEB)

O R D E R

Heard Mr.G.Mohammed Aseef, the learned counsel appearing for the petitioner, and Mr.Varun kumar, the learned counsel, who accepts notice for respondent-Board, and with their consent, the main Writ Petition is taken up for final disposal at the stage of admission itself.

2. The prayer in the Writ Petition, is for issuance of a Writ, in the nature of Mandamus, forbearing respondents 1 to 3 from transferring the agricultural electricity service connection to the name of the fourth respondent.

3. It is seen that the objection given by the petitioner has been taken on file by the first respondent, and a notice has been issued to the petitioner, dated 28.01.2016, calling upon him to produce revenue records standing in his name, as the petitioner has produced only a copy of the document, by which, he claims ownership, and in the interregnum period, he apprehends that the electricity service connection will be transferred to the name of the fourth respondent.

4. In my view, petitioner's apprehension is without any basis, since already the first respondent is seized of the matter, and unless and until, he decides the matter after hearing the parties, the question of transferring the service connection in the interregnum period does not arise. Accordingly, there will be a direction to the petitioner to comply with the direction issued by the first respondent, vide proceedings, dated, 28.01.2016, and produce the revenue records before the first respondent, who shall then issue notice to the petitioner and the fourth respondent, and consider the documents, and pass a speaking order on merits and in accordance with law within a period of eight weeks from the date on which the petitioner produces the revenue records.

5. With the above directions, the Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS VII)

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सत्यमेव जयते

Sub Assistant Registrar

To

1. The Junior Engineer (Operation & Maintenance)
Tamil Nadu Generation and
Distribution Corporation (TANGEDCO)
Brammadesam, Marakanam Tk.

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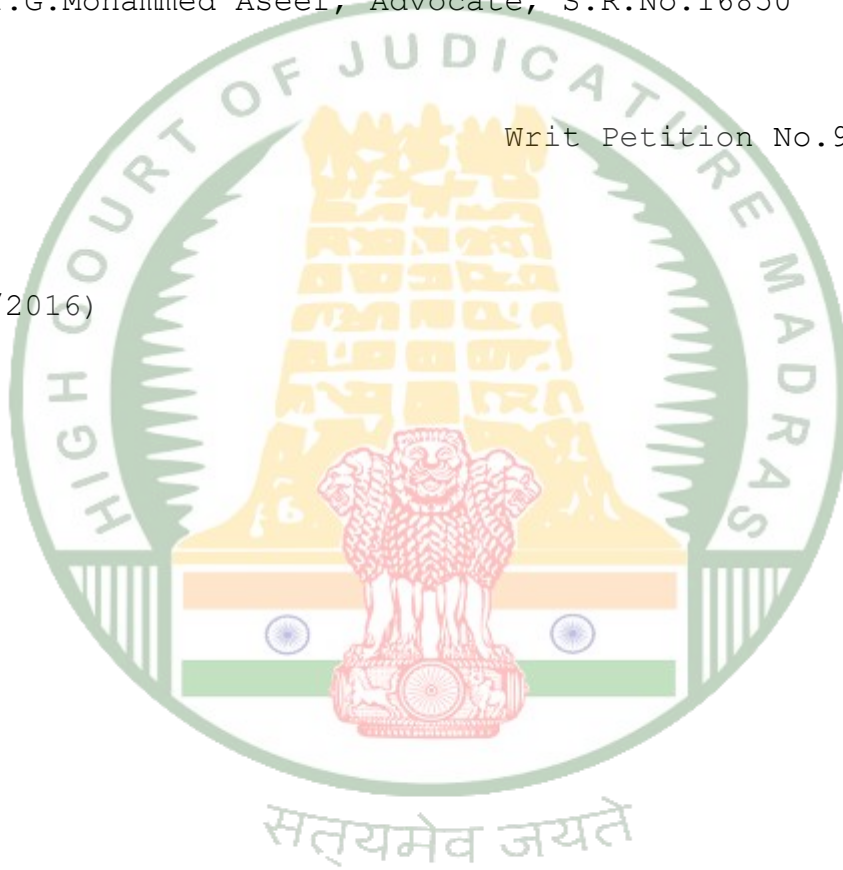
2. The Executive Engineer (Operation & Maintenance)
Tamil Nadu Generation and
Distribution Corporation (TANGEDCO)
Tindivanam.
3. The Superintending Engineer,
Tamil Nadu Generation and Electricity
Distribution Corporation (TANGEDCO)
Villupuram.

+lcc to Mr.M.Varunkumar, Advocate, S.R.No.16898

+lcc to Mr.G.Mohammed Aseef, Advocate, S.R.No.16850

Writ Petition No.9630 of 2016

svi (CO)
srg (28/03/2016)



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