



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.01.2016

CORAM:

THE HONOURABLE Mr.JUSTICE K.RAVICHANDRABAABU

W.P. (MD) No.1446 of 2016

M.Venkatesh

... Petitioner

Vs.

1.The Junior Engineer,
Distribution / Urban,
TANGEDCO, Shanthi Nagar,
Palayamkottai,
Tirunelveli District.

2.The Executive Engineer,
Arulmigu Venkatachalapathi Temple,
Thimmarajapuram,
Tirunelveli District.

... Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st respondent to give electricity supply to the petitioner's shop in Door No.300, Seevalaperi Road, Thimmarajapuram, Tirunelveli 627 753, without insisting NOC to be obtained from the 2nd respondent.

For Petitioner : Mr.K.Saravanan

For Respondents : Mr.G.Kasinathadurai

Standing Counsel in TANGEDCO, takes notice

O R D E R

Mr.G.Kasinathadurai, learned standing counsel takes notice for the respondents.

2.The petitioner seeks for a mandamus, directing the 1st respondent to give electricity supply to the petitioner's shop in Door No.300, Seevalaperi Road, Thimmarajapuram, Tirunelveli 627 753, without insisting no objection certificate from the 2nd respondent.

3.The learned counsel appearing for the petitioner as well as the learned standing counsel appearing for the respondents submitted that the petitioner may be permitted to place all relevant materials in support of his claim before the first respondent, who in turn will conduct an enquiry after issuing notice to the 2nd respondent as well and pass an appropriate order. The learned counsel appearing for the petitioner has also submitted that in the similar circumstances, this Court has passed an order in W.P. (MD) No.5006 of 2015 dated 07.04.2015, directing the Electricity Authority to conduct such enquiry.

4.Considering the above stated facts and circumstances and without expressing any view on the claim made by the petitioner, the 1st respondent is directed to conduct an enquiry after putting the second respondent also on notice and pass appropriate orders based on the materials placed before him by both the petitioner as well as the 2nd respondent. Such exercise shall be done by the 1st respondent within a period of four weeks from the date of receipt of a copy of this order.



5. With these observations and directions, as this Writ petition is disposed of without affecting the rights of the 2nd respondent, notice to the 2nd respondent is disposed with. No costs.

Sd/
Assistant Registrar (AE)

/True Copy/

Sub Assistant Registrar

To

1. The Junior Engineer,
Distribution / Urban,
TANGEDCO, Shanthi Nagar,
Palayamkottai, Tirunelveli District.

2. The Executive Engineer,
Arulmigu Venkatachalapathi Temple,
Thimmarajapuram,
Tirunelveli District.

+One CC to the Special Government Pleader Madurai Bench of
Madras High Court Madurai. SR.No.9283

+One CC to Mr.K.Saravanan, in Advocate in SR.No.3995

CN/GSV-AN/15.2.2016/5C-2P

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