



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.10.2016

CORAM:

THE HONOURABLE DR.JUSTICE **S.VIMALA**

W.P (MD) No.19400 of 2016

WEB COPY

Devasena @ Muthulakshmi

: Petitioner

Vs.

1.The Divisional Engineer,
O & M, TNEB,
Srirangam, Trichy.

2.The Assistant Engineer,
O & M, TNEB,
Thiruvanaikoil,
Srirangam Circle, Trichy.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the second respondent to provide a domestic electricity connection to petitioner's house, which is situated in Door No.106/136 in South Ulveethi, Thiruvanaikoil, Trichy.

For Petitioner : Mr.RM.Sivakumar

For Respondents : Mrs.Srimathi,
Standing Counsel for TNEB.

O R D E R

This writ petition has been filed for issuance of Writ of Mandamus, directing the second respondent to provide a domestic electricity service connection to the petitioner's house, which situates in Door No.106/136 in South Ulveethi, Thiruvanaikoil, Trichy.

2.Mrs.Srimathi, learned standing counsel for TNEB, takes notice for the respondents. By consent, the writ petition itself is taken up for final disposal.

3.Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the respondents.

4.The case of the petitioner is that even while her father was alive, under a special arrangement, the petitioner as well as her brother were living in separate portions and the electricity service connection, which stands in the name of her father, was

being enjoyed separately by the petitioner as well as her brother.

5.It is stated that a partition suit is pending in between the petitioner and her brother and aggrieved over that her brother illegally disconnected the electricity wire, through which, she was receiving electricity connection. The grievance of the petitioner is that she is not able to maintain her son, who is a cardiac patient and underwent a major cardiac surgery and he is suffering a lot without electricity and on account of that they are not able to have habitable condition at home. Expressing the grievance, a representation has been given to the respondents, stating that she is willing to execute an indemnity bond and to pay necessary charges. As her representation has not been considered, this writ petition has been filed.

6.Having regard to the limited scope of relief made in this Writ Petition, the Writ Petition is disposed of with a direction to the respondents to consider the representation of the petitioner dated 07.09.2016, during consideration to grant opportunity of hearing to petitioner's brother and pass orders on merits and in accordance with law, within a period of one week, from the date of receipt of a copy of this order and also to take necessary action. No costs.

Sd/-

Assistant Registrar (T&P)

/True copy/

Sub Assistant Registrar

To

1.The Divisional Engineer,
O & M, TNEB, Srirangam, Trichy.

2.The Assistant Engineer,
O & M, TNEB, Thiruvanaikoil, Srirangam Circle, Trichy.

+1 CC to Mr.RM.SIVAKUMAR, Advocate, SR No.59572

ORDER MADE IN
W.P (MD) No.19400 of 2016
06.10.2016

smn

SH/SS-3:20.10.2016:2P/4C