

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.03.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.5429 of 2017

Shivam Charitable Trust
represented by Chairman & Secretary
I.K.Sadhasivam
S.S.Nagar, Mulakadu Village
Mettur Taluk 636 452
Salem District

..Petitioner

-vs-

1. The Chairman
Tamil Nadu Electricity Board
144, Anna Salai
Chennai 600 002
2. The Superintending Engineer
TANGEDCO
Mettur Electricity Distribution Circle
Metturdam 636 401
3. The Assistant Engineer
Operation & Maintenance
Kolathur (South)
TANGEDCO
Mettur Taluk

..Respondents

Petition under Article 226 of the Constitution of India,
praying for the issue of a Writ of Mandamus, directing the
respondents to mutate the Electricity Service Connection No.04-
103-009-2183 to the name of the petitioner viz. Shivam Charitable
Trust, by considering the petitioner's representations dated
19.11.2016 & 05.12.2016.

For Petitioner :: Mr.P.Valliappan

For Respondents :: Mr.S.K.Raameshuwar

ORDER

This writ petition has been filed by Shivam Charitable Trust represented by the Chairman & Secretary Mr.I.K.Sadhasivam seeking issuance of a writ of mandamus, directing the respondents to mutate the electricity service connection No.04-103-009-2183 in the name of the petitioner viz. Shivam Charitable Trust itself, by considering the petitioner's representations dated 19.11.2016 & 05.12.2016.

2. Mr.S.K.Raameshuwar, learned standing counsel takes notice on behalf of the respondents.

3. It is the claim of the petitioner that the lands covered in Survey Nos.50/2 and 67/D1, Mulakadu Village, Mettur Dam were leased out in favour of the petitioner Trust on 3.2.2015, under a registered lease deed bearing Document No.128 of 2015 on the file of the Sub Registrar, Kolathur, for a period of thirty years. Therefore the electricity service connection bearing Nos.2183 and 2165 are in the name of the then Chairperson Mr.M.Senthilvelu. Subsequently, it was resolved to have the connection in the name of the petitioner Trust, so that a three phase connection can be obtained. In this connection the property tax is also being paid in the name of the petitioner Trust. On this basis, a representation was made to the respondents on 19.11.2016 requesting for mutation of the service connection in the name of the petitioner Trust itself, instead of in the name of the Chairperson, followed by a reminder on 5.12.2016. As the request of the petitioner has been kept in cold storage, the petitioner has been advised to come to this Court.

4. This Court, considering the limited prayer, putting on notice the learned standing counsel for the respondents, hereby directs the third respondent to consider the pending representations of the petitioner for mutation of the electricity service connection No.04-103-009-2183 in the name of the petitioner Trust on merit and pass appropriate orders in accordance with law within a period of two weeks from the date of receipt of a copy of this order. The writ petition stands disposed of accordingly. Consequently, W.M.P.No.5750 of 2017 is closed. No costs.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

SS

To

1. The Chairman
Tamil Nadu Electricity Board
144, Anna Salai
Chennai 600 002
 2. The Superintending Engineer
TANGEDCO
Mettur Electricity Distribution Circle
Metturdam 636 401
 3. The Assistant Engineer
Operation & Maintenance
Kolathur (South)
TANGEDCO
Mettur Taluk
- +1 CC to Mr.P.Valliappan, Advocate Sr.No.14401

W.P.No.5429 of 2017

NR(CO)
KP(17.03.2017)



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