

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.06.2017

CORAM

THE HON'BLE Mr. JUSTICE M.M.SUNDRESH

W.P.No.6951 of 2017

V.Krishnasamy

... Petitioner

v.

1. The Assistant Electrical Engineer
Operation and Distribution
Tamil Nadu Electricity Board,
Gobi Electricity Distribution Circle,
Ponnampalayam, Sathyamangalam Taluk
Erode District.

2. Ramatthal ... Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 1st respondent to take necessary action to do name transfer in favour of the petitioner in Electricity service connection no.114 & 116 which is in petitioner's agricultural land at Survey number 478/1, 2, 475/3, 479/2 presently sub divided in 478/3A, 3B, 478/1B in Panaiyampalli Village, Sathiyamangalam Taluk, Erode District pursuant to the petitioner's representation dated 28.04.2016.

For Petitioner : Mr.R.Thirumoorthy

For Respondents: Mr.S.K.Rameshwar for R1
No appearance for R2

O R D E R

In pursuant to the sale effected by one Ramathal, the second respondent herein, on 27.12.2011 in favour of the one Jayabalan, who in turn sold the said property in favour of the petitioner. The petitioner has also purchased another property by sale deed dated 27.01.2015 from one Samarjith. The petitioner has made an application seeking name transfer for Electricity service connection Nos. 114 & 116. The properties in question are the agricultural lands. It appears that the said request was not considered in view of the objections made by the respondent No.2. Therefore the present writ petition is filed.

2. Despite notice having been served on the respondent No.2, and her name is also been printed in the cause list, none appears for her.

3. A mere objection per se cannot be a ground to reject the request. In such view of the matter, a direction is issued to the respondent No.1 to take a decision after due notice to the petitioner and the respondent No.2, within a period of eight weeks from the date of receipt of a copy of this order. If the respondent No.1 is satisfied that the respondent No.2 does not have any title, naturally the name transfer will have to be effected subject to the other compliance by the petitioner. The said endeavor has to be done within a period of eight weeks. No costs.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

raa/jer

To

The Assistant Electrical Engineer
Operation and Distribution
Tamil Nadu Electricity Board,
Gobi Electricity Distribution Circle,
Ponnampalayam,
Sathyamangalam Taluk
Erode District.

+1cc to Mr.R.Thirumoorthy, Advocate Sr.41830 [21/06/2017]

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srg 16/06/2017

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