

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 09.08.2018

CORAM

THE HON'BLE MR. JUSTICE M.DURAISWAMY

W.P.No.20399 of 2018

G.Shanthi
... Petitioner

v.

- 1 The Assistant Engineer
Operation and Maintenance
Tamilnadu State Electricity Board
Kalippati, Thiruchengode Taluk
Namakkal District-637 501.
- 2 Mr.T.Venkatachalam ... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the 1st respondent, The Assistant Engineer, Operation and Maintenance Tamilnadu State Electricity Board, Kalippati, Thiruchengode Taluk, Namakkal District, to grant power supply to the pump set for drawing up the water from the well located in Survey No.3/1A at Mathiyampatti Village owned by the petitioner treating the seniority of father in law of the petitioner Mr.T.Muthu, S/o.Mr.Thirumalai Gounder, as of the petitioner in the light of change in circumstance and also dispensing with the consent of the 2nd respondent herein.

For Petitioner : Mr.K.Ramachandran

For Respondents : Mr.S.K.Rameshwar

Standing Counsel - for R1

ORDER

Mr.S.K.Rameshwar, learned Standing Counsel, takes notice for the 1st respondent. By consent, the main writ petition itself is taken up for disposal at the admission stage itself.

2. The petitioner has filed the above writ petition to issue a Writ of Mandamus, directing the 1st respondent, the Assistant Engineer, Operation and Maintenance Tamilnadu State Electricity Board, Kalippati, Thiruchengode Taluk, Namakkal District, to grant power supply to the pump set for drawing up the water from the well located in Survey No.3/1A at Mathiyampatti Village, owned by the petitioner, treating the seniority of father-in-law of the petitioner T.Muthu,

S/o.Mr.Thirumalai Gounder, as of the petitioner, in the light of change in circumstance and also dispensing with the consent of the 2nd respondent.

3. When the matter is taken up for hearing, the learned counsel appearing for the petitioner submitted that the petitioner has given his representation to the 1st respondent on 16.06.2018 in this regard. However, the same has not yet been considered by the 1st respondent. Further, the learned counsel submitted that it would be suffice to direct the 1st respondent to consider the petitioner's representation dated 16.06.2018 instead of granting the relief sought for in the writ petition.

4. The learned Standing Counsel appearing for the 1st respondent submitted that the 1st respondent has no objection for considering the petitioner's representation dated 16.06.2018 and pass orders, in accordance with law, after giving notice to the 2nd respondent.

5. In view of the submissions made by the learned counsel on either side and also taking into consideration the limited prayer sought for by the learned counsel appearing for the petitioner, I direct the 1st respondent to consider the petitioner's representation dated 16.06.2018 and pass orders, on merits and in accordance with law, after giving notice to the 2nd respondent, within a period of four weeks from the date of receipt of a copy of this order.

With these observations, the writ petition is disposed of. No costs.

Sd/-
Assistant Registrar (CS V)

//True Copy//

Sub Assistant Registrar

Rj

To

The Assistant Engineer
Operation and Maintenance
Tamilnadu State Electricity Board
Kalippati, Thiruchengode Taluk
Namakkal District-637 501.

+1cc to Mr.K.Ramachandran, Advocate SR.NO.54575

sm:10.8.2018

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