

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.04.2018

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.9412 of 2018

A.K.Sampath

.. Petitioner

-vs-

1. State of Tamil Nadu
rep.by its Secretary
Energy Department
Fort St.George
Chennai 600 009
2. Tamil Nadu Electricity Board
rep.by its Chairman
Anna Salai
Chennai 600 002
3. The Executive Engineer
Tamil Nadu Electricity Board
Krishnagiri
4. The Assistant Engineer
Tamil Nadu Electricity Board
Choolagiri Nagar Division
Krishnagiri District

.. Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the fourth respondent to consider the representation of the petitioner on 27.02.2018 and direct the respondent to provide the Agricultural Electricity Service Connection in service no.872/31.12.1987.

For Petitioner :: Mr.M.D.Thirunavukkarasu

For Respondents :: Mr.V.Jayaprakash Narayanan
Special Government Pleader
for R1
Mr.M.Varunkumar
Standing Counsel for R2 to 4

ORDER

This writ petition has been filed by Mr.A.K.Sampath seeking a mandamus to the Assistant Engineer, Tamil Nadu Electricity Board, Choolagiri Nagar Division, Krishnagiri District, the fourth respondent herein to consider his representation dated 27.2.2018 seeking agricultural electricity service connection in service no.872/31.12.1987.

2. Learned counsel for the petitioner submitted that when the petitioner, his elder brother Mr.K.Somasekaran and others were living as a joint family, his elder brother Mr.K.Somasekaran made an application to the Assistant Engineer, Tamil Nadu Electricity Board, Choolagiri Nagar Division on 30.12.84 seeking agricultural electricity service connection. In the meanwhile, the joint family underwent a partition and the deed of partition was also executed on 6.9.93 and some portion of the joint family property were allotted to the petitioner. On the basis of the partition, the petitioner also made an application on 27.2.2018 seeking free agricultural electricity service connection. As the said representation has not been considered, he has come to this Court.

3. This Court is unable to entertain the claim of the petitioner. The reason is that Mr.K.Somasekaran, the elder brother of the petitioner, made an application to the Assistant Engineer, Tamil Nadu Electricity Board, Choolagiri Nagar Division on 30.12.84. After nine years, the joint family property underwent a partition and a partition deed was also executed on 6.9.93 and thereupon, the petitioner was also allotted a share in the joint family property. In that view of the matter, the petitioner has to make a separate application seeking appropriate relief before the concerned authority. Therefore, the writ petition is dismissed. Consequently, W.M.P.No.11231 of 2018 is also dismissed. No costs.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

ss

To

1. The Secretary to Government
Energy Department
Fort St.George
Chennai 600 009
2. The Chairman
Tamil Nadu Electricity Board
Anna Salai
Chennai 600 002
3. The Executive Engineer
Tamil Nadu Electricity Board
Krishnagiri
4. The Assistant Engineer
Tamil Nadu Electricity Board
Choolagiri Nagar Division
Krishnagiri District.

+1cc to Mr.M.Varunkumar, Advocate, S.R.No.28921

+1cc to the Government Pleader, S.R.No.29214

W.P.No.9412 of 2018

RJ(CO)

RRK(15/05/2018)

सत्यमेव जयते

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