

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.02.2018

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THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

Writ Petition No.3593 of 2018

Thangarasu
S/o.Bodi

... Petitioner

vs.

1.The Superintending Engineer,
Tamil Nadu Electricity Board,
Cuddalore.

2.The Assistant Engineer,
Operation & Maintenance,
Sirupakkam Village.

..Respondents

Writ petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 1st respondent to conduct enquiry considering the representation preferred by the petitioner dated 09.07.2016 in the light of the proceedings of the 2nd respondent vide his communication Letter Non.55/2016, dated 27.07.2016 and cancel the service connection standing in the name of 3rd parties in respect of the property bearing S.No.52/5 situated at Sitheri Village, Veppur Taluk, Cuddalore District, measuring in extent of 3 acres.

For Petitioner : Mr.M.Venkadesh
For Respondents : Mr.M.Varunkumar
Standing Counsel

ORDER

Heard Mr.M.Venkadeshnan, learned counsel for the petitioner and Mr.M.Varunkumar, learned standing counsel for the respondents.

2. The petitioner seeks for a mandamus directing the first respondent to consider his representation dated 09.07.2016, wherein and whereby, he sought for cancellation of the electricity service connection standing in the name of third parties, in respect of the property bearing S.No.52/5 situated at Sitheri Village, Veppur Taluk, Cuddalore District.

3. According to the petitioner, the subject matter property belongs to him and therefore, the electricity service connection cannot be given in the name of any third parties.

4. On the other hand, the learned standing counsel for the respondents, based on instructions, submitted that the service connection as on today stands in the name of the petitioner's son-in-law. Therefore, it appears that there is a family dispute between the parties.

5. This Court, at this stage, is not expressing any view on the merits of the claim made by the respective parties, as the said

representation given by the petitioner is yet to be disposed of by the second respondent, by passing an order. Accordingly, this writ petition is disposed of, only by directing the second respondent to consider the said representation of the petitioner dated 09.07.2016 and pass orders on the same on merits and in accordance with law, after hearing the petitioner and the other interested parties, including the person in whose name, the service connection stands. Such exercise shall be done by the second respondent within a period of four weeks from the date of receipt of a copy of this order. No costs.

26.02.2018

Speaking/Non-speaking order

Index : Yes / No

Internet : Yes/No
mk

To

- 1.The Superintending Engineer,
Tamil Nadu Electricity Board,
Cuddalore.
- 2.The Assistant Engineer,
Operation & Maintenance,
Sirupakkam Village.

K.RAVICHANDRABAABU,J.
mk



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