

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.08.2018

CORAM

THE HONOURABLE MR. JUSTICE R.MAHADEVAN

W.P.No.33777 of 2017

Tmt.Jessintha

.. Petitioner

Vs

- 1.The Revenue Divisional Officer,
O/o. Revenue Divisional Officer,
Madhurandhagam,
Kancheepuram District.
- 2.The Tahsildar,
Madhurandhagam,
Kancheepuram District.
- 3.The Assistant Engineer,
TANGEDCO, Tamil Nadu Electricity Board,
Karunguzhi Village and Post,
Madurandhagam Taluk,
Kancheepuram District.
- 4.The Chairman,
Tamil Nadu Generation and Distribution Corporation Ltd.,
(formerly known as Tamil Nadu Electricity Board),
144, Anna Salai,
Chennai - 600 002.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus, directing the third respondent to receive the petitioner's application and grant electricity service connection to the petitioner's house without insisting her to provide patta in her favour for the house situated in Survey No.595/6C of Malaipalayam Village at No.29, 1st Street, Eari Colony, Karunkuzhi Madura, Malaipalayam Village, Maduranthagam Taluk, Kancheepuram District based on her representation dated 07.08.2017.

For Petitioner : Mr.S.Kumara Devan

For Respondents : Mr.J.Ramesh

Additional Government Pleader

For R1 and R2

Mr.S.K.Rameshwar

Standing counsel for TNEP R3 and R4

O R D E R

The petitioner has come forward with the present writ petition, for a mandamus, directing the third respondent to receive her application and grant electricity service connection to her house, without insisting her to provide patta in her favour for the house situated in Survey No.595/6C of Malaipalayam Village at No.29, 1st Street, Eari Colony, Karunkuzhi Madura, Malaipalayam Village, Maduranthagam Taluk, Kancheepuram District based on her representation dated 07.08.2017.

2. Heard the learned counsel for the petitioner, learned Additional Government Pleader appearing for the respondents 1 and 2 and the learned Standing counsel appearing for the respondents 3 and 4.

3. The case of the petitioner is that the property in Survey No.595/6C situated at No.29, 1st Street, Eari Colony, Karunkuzhi Madura, Malaipalayam Village, Maduranthagam Taluk, Kancheepuram District was inherited from her husband and thereby she has been in possession and enjoyment of the same. It is further stated that for the above said property patta has not been transferred in her name and still exists in her husband's name.

4. The grievance of the petitioner is that for providing electricity connection to her house, the third respondent is insisting for patta in her favour. In this regard the petitioner has given a representation dated 07.08.2017 to the third respondent for providing electricity connection, without insisting for patta in her favour. Since no action was forthcoming, the present writ petition.

5. The learned Standing Counsel appearing for the respondents 3 and 4 on instructions, submitted that the respondents authority is ready to consider the representation of the petitioner, if the petitioner is able to produce all the necessary documents, to establish her claim.

6. In reply the learned counsel for the petitioner submitted that the petitioner is now ready to produce all the required documents as required before the concerned authority.

7. Considering the facts and circumstances of the case and having regard to the submissions made by the learned counsel on either side, without going into the merits of the case, the petitioner is directed to submit all the necessary documents to the respondent, along with a copy of this order, within a period

of two weeks from the date of receipt of the same. On such submission, the respondents shall consider the same and pass appropriate orders on merits and in accordance with law, after affording an opportunity of personal hearing to the petitioner within a period of four weeks therefrom.

8. With the above direction, the writ petition stands disposed of. No costs.

Sd/-
Assistant Registrar (CS-VII)

//True Copy//

Sub Assistant Registrar

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To

- 1.The Revenue Divisional Officer,
O/o. Revenue Divisional Officer,
Madhurandhagam,
Kancheepuram District.
- 2.The Tahsildar,
Madhurandhagam,
Kancheepuram District.
- 3.The Assistant Engineer,
TANGEDCO,
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- 4.The Chairman,
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(formerly known as Tamil Nadu Electricity Board),
144, Anna Salai,
Chennai - 600 002.

+1cc to Mr.S.K.Ramesh Kumar Advocate, S.R.No. 57423
+1cc to Mr.S.Kumaradevan, Advocate, S.R.No. 57444
+1cc to the Government Pleader, S.R.No. 59897

W.P.No.33777 of 2017

PVS (CO)
GN(17/09/2018)