

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.05.2018

CORAM

THE HONOURABLE MR. JUSTICE.S.BASKARAN

W.P. No.13001 of 2018
and
W.M.P. No.15276 of 2018

Rhythm Residency Flat Owners
Welfare Association
Represented by its President,
Mr.R.Padmanabhan ... Petitioner

Vs.

- 1.Yes and Yes Premier Hi-tech
Homes India Private Limited
Rep. by its Executive Director
B.Ravi.
- 2.B.Ravi
- 3.Premalatha
- 4.Radha
- 5.D.Shanmugam
- 6.Baby Chithra
- 7.A.K.Balasubramaniam
- 8.The Superintendent Engineer,
TANGEDCO,
Erode Electricity Distribution Circle,
E.VN.Road, Erode -1.
- 9.The Assistant Engineer
(Operation and Maintenance),
TANGEDCO,
Thindal, Erode.

... Respondents

Prayer:- Writ petition has been filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the Respondents 8 & 9 to consider and pass orders on the Petitioner's representation dated 12.01.2018.

For Petitioner : Mr.S.Rajasekar

For Respondents 8 & 9: Mr.S.K.Raameshuwar
Standing Counsel.

O R D E R

Mr.S.K.Raameshuwar, the learned Standing Counsel, takes notices on behalf of the respondents 8 and 9. By consent, the Writ Petition is taken up for final disposal at the stage of admission itself, considering the limited scope of prayer.

2. The petitioner has come up with the present Writ Petition for a direction to the Respondents 8 & 9 to consider and pass orders on his representation dated 12.01.2018.

3. The grievance of the petitioner is that the respondents 8 and 9 are trying to put up transformers in the common area, which would prejudice the interest of the petitioner Association members.

4. On the other hand, the learned Standing counsel appearing for the Electricity Board submitted that already the petitioner Association has filed a suit in O.S. No. 11 of 2018 before the Subordinate Court, Perunthurai, seeking the same relief.

5. While admitting the fact of filing of the civil suit, the learned counsel for the petitioner Association states that the relief sought therein is different from the one asked in this writ petition. Further, the limited prayer in this writ petition is only to direct the Respondents 8 & 9 to consider and pass orders on the representation of the petitioner dated 12.01.2018.

6. Considering the same, this Court is of the view that it would be appropriate to direct the respondents 8 & 9 to consider the representation of the petitioner dated 12.01.2018 and pass orders on merits, in accordance with law, within a period of two weeks from the date of receipt of a copy of this order. Till then, there shall be an order of status quo, as of today.

7. The Writ Petition is disposed of with the above directions. Consequently, the connected Miscellaneous Petition is closed. No costs.

Sd/-
Deputy Registrar/Vacation
Officer

//True Copy//

Sub Assistant Registrar

avr

To

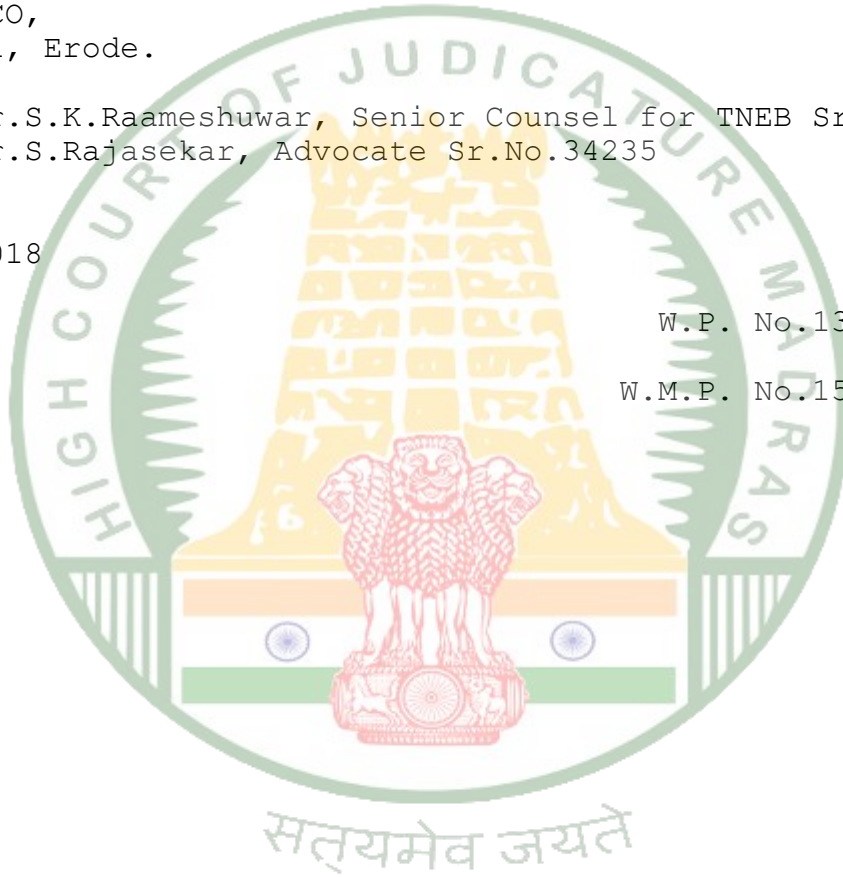
1.The Superintendent Engineer,
TANGEDCO,
Erode Electricity Distribution Circle,
E.VN.Road, Erode -1.

2.The Assistant Engineer
(Operation and Maintenance),
TANGEDCO,
Thindal, Erode.

+1cc to Mr.S.K.Raameshuwar, Senior Counsel for TNEB Sr.No.34304
+1cc to Mr.S.Rajasekar, Advocate Sr.No.34235

SG(CO)
sm:31.5.2018

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and
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