

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.02.2018

CORAM

THE HONOURABLE MR.JUSTICE K. RAVICHANDRABAABU

W.P.No.2874 of 2018

G.Subramaniam @ Subramani
S/o.V.Subbiah

... Petitioner

.vs.

1. The Superintendent Engineer
Operation and Maintenance, TANGEDCO
Gingee Taluk,
Villupuram Taluk.

2. The Executive Engineer
Operation and Maintenance, TANGEDCO
Gingee Taluk
Villupuram District.

3. Deveraya Gounder
S/o.Subbaiah Gounder

... Respondents

Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 and 2 to transfer the service connection in SC.No.212, Male Edayalam Distribution Circle for the well situated in Survey No.56/19A Male Edayalam Village, Gingee Taluk, Villupuram District and delete the name of the 3rd respondent by considering the representation dated 09.02.2018.

For Petitioner : Mr.G.Rajan

For Respondents : Mr.M.Varun Kumar
standing counsel

O R D E R

Mr.M.Varun Kumar, learned standing counsel takes notice for the respondents 1 and 2. Since this writ petition is being disposed of, without affecting the interest of the third respondent, notice to the said respondent is dispensed with.

2. The petitioner seeks for a mandamus directing the respondents 1 and 2 to transfer the service connection in SC.No.212 from the name of the third respondent to the petitioner's name. To that effect, the petitioner has made the representations on 09.11.2017 and again, on 09.02.2018.

3. According to the petitioner, he is the owner of the subject matter property, whereas, by mistake the service connection was given in the name of the third respondent.

4. It is submitted by the learned counsel for the petitioner that there is no civil dispute pending between the petitioner and the third respondent before any Court and therefore, there cannot be any impediment for the fourth respondent to consider the grievance of the petitioner and pass orders on the same.

5. Upon hearing the learned counsel for the petitioner and the learned standing counsel for the respondents 1 and 2 and without expressing any view on the merits of the claim made by the petitioner, this writ petition is disposed of, only with a direction to the second respondent to consider the representations of the petitioner dated 09.11.2017 and 09.02.2018 and pass orders on the same on merits and in accordance with law, after giving due opportunity of hearing to the petitioner as well as the third respondent. 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, if there is no legal impediment for the second respondent to do so. No costs.

Sd/-
Deputy Registrar

//True Copy//

Sub Assistant Registrar

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To

1. The Superintendent Engineer
Operation and Maintenance, TANGEDCO
Gingee Taluk,
Villupuram Taluk.

2. The Executive Engineer
Operation and Maintenance, TANGEDCO
Gingee Taluk
Villupuram District.

+1cc to Mr.M.VARUNKUMAR, Advocate, S.R.No. 10844
+1cc to Mr.G.RAJAN, Advocate, S.R.No. 10549

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TR(20/02/2018)