



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 17.04.2018

CORAM:

THE HONOURABLE MR.JUSTICE **M.S.RAMESH**

W.P.(MD) No.8301 of 2018

K.Ramanathan

... Petitioner

vs.

1. The Superintending Engineer,
Tamil Nadu Generation & Distribution Corporation Ltd,
(TANGEDCO)
Sivagangai District,
Sivagangai.

2. The Assistant Engineer,
Tamil Nadu Generation & Distribution Corporation Ltd,
(TANGEDCO)
A.Thekkur and Post,
Thiruppathur Taluk,
Sivagangai District.

3. The Superintendent of Police,
Sivagangai District,
Sivagangai.

4. The Sub- Inspector of Police,
Nerkuppai Police Station,
Nerkuppai,
Sivagangai District.

5. SP.NT.Ramanathan

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the first and second respondent to disconnect the Electricity connection in service number 479-001-1549 which is fraudulently obtained by the fifth respondent and direct the 3rd and 4th respondent to take appropriate action against the culprits on the basis of the petitioner's representation dated 14.03.2018.

For Petitioner : Mr.T.Vadivelan

For Respondents

No. 1 and 2 : Mr. Jonny Basha

No. 3 and 4 : Mr.Gunaseelan Muthiah

Additional Government Pleader

**ORDER**

Mr. Johnny Basha, learned counsel takes notice for the respondents 1 and 2. Mr. Gunaseelan Muthiah, learned Additional Government Pleader takes notice for respondents 3 and 4. Notice to the fifth respondent is dispensed with in view of nature of the order to be passed by this Court.

2. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

3. It is the grievance of the petitioner is that his representation dated 14.03.2018 to disconnect the Electricity connection in service number 479-001-1549 which is fraudulently obtained by the fifth respondent and direct the 3rd and 4th respondents to take appropriate action against the culprits, has not been considered by the second respondent till date and therefore, he has filed the present writ petition.

4. This Court has not expressed any of its view with regard to the merits of the representation made by the petitioner. It is needless to point out that whenever a representation of this nature is made, the respondents are duty bound to consider the same in one way or the other. Non-consideration of the same would amount to dereliction of ordinary duties of their office and as such, this Court would be justified in invoking its powers conferred under Article 226 of the Constitution of India to direct them to consider the petitioner's representation within a stipulated time.

5. In view of the limited prayer sought for in this writ petition, there shall be a direction to the second respondent to consider the petitioner's representation dated 14.03.2018 on its own merits and take further action in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. Such an exercise shall be done after giving due opportunity to the petitioner as well as to the fifth respondent herein and any other persons who may be interested in the subject matter

6. With the above direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (P&A)

/True Copy/

Sub Assistant Registrar

To:

1. The Superintending Engineer,
Tamil Nadu Generation & Distribution Corporation Ltd,
(TANGEDCO)
Sivagangai District,
Sivagangai.



2. The Assistant Engineer,
Tamil Nadu Generation & Distribution Corporation Ltd,
(TANGEDCO)

A.Thekkur and Post,
Thiruppathur Taluk,
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3. The Superintendent of Police,
Sivagangai District,
Sivagangai.

4. The Sub- Inspector of Police,
Nerkuppai Police Station,
Nerkuppai,
Sivagangai District.

+1CC to Mr.T.Vadivelan, Advocate, SR.NO.61695.

+1cc to Special Government Pleader, SR.NO.62181

W.P.(MD) No.8301 of 2018

AAV

PS/KKR/SAR 1/15.05.2018/SAR 1/3P/7C