



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.04.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD) No.8708 of 2018

V.Bose @ Karuppu

... Petitioner

vs.

1.The Chief Engineer(Distribution)
Tamil Nadu Generation and Distribution
Corporation (TANGEDCO),
K.Pudur, Madurai- 625 007.

2. The Assistant Engineer,
Tamil Nadu Generation and Distribution
Corporation (TANGEDCO),
Madurai Distribution Circle,
Y.Othakadai, Madurai North Taluk,
Madurai.

3. Manickam

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 1 and 2 to shift the electricity line of the 3rd respondent house in bearing electricity connection nos.118-013-339 and 118-013-1182 which is cross over the petitioner's vacant land situated in Door No.1/368, Manokaran Shop Lane, Narasingam Village in the light of undertaken given by the third respondent and in the light of the proceedings of the second respondent dated 31.01.2018 and 19.03.2018 and by considering the petitioner's representation dated 09.03.2018 within the period that may be stipulated by this Hon'ble Court.

For Petitioner

: Ms. S.Shahila Bhanu

for M/s.Ajmal Associates

For Respondents

:Mr. Johnny Basha

O R D E R

Mr.Johnny Basha, learned counsel takes notice for the respondents 1 and 2 Notice to the third respondent is dispensed with in view of nature of the order to be passed by this



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 that his representation dated 09.03.2018 seeking to shift the electricity line of the 3rd respondent house in bearing electricity connection nos.118-013-339 and 118-013-1182 which is cross over the petitioner's vacant land situated in Door No.1/368, Manokaran Shop Lane, Narasingam Village, has not been considered by the respondents 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 09.03.2018 on its own merits and take further action in accordance with law, within a period of six weeks from the date of receipt of a copy of this order. Such an exercise shall be done after giving notice to the petitioner as well as to the third respondent.

6. With the above direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/
Assistant Registrar (CS-II)

/True copy/

Sub Assistant Registrar

To:

1.The Chief Engineer(Distribution)
Tamil Nadu Generation and Distribution
Corporation (TANGEDCO),
K.Pudur, Madurai- 625 007.



2. The Assistant Engineer,
Tamil Nadu Generation and Distribution
Corporation (TANGEDCO),
Madurai Distribution Circle,
Y.Othakadai, Madurai North Taluk,
Madurai.

+1cc to M/S.AJMAL ASSOCIATES, Advocate, SR.No. 62669

W.P. (MD) No.8708 of 2018
19.04.2018

AAV
KK/KKR/07.05.2018/SAR-4/3P-4C