



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.04.2018

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P. (MD) No.8808 of 2018

Manimala

... Petitioner

vs.

1. The Superintending Engineer,
Tamil Nadu (Electricity) Generation and
Distribution Limited,
Trichy District,
Trichy.
2. The Executive Engineer,
Operation and Maintenance,
TamilNadu (Electricity) Generation and
Distribution Corporation,
Musiri, Trichy District.
3. The Assistant Engineer,
Operation and Maintenance,
TamilNadu (Electricity) Generation and
Distribution Corporation,
Musiri, Trichy District.
4. Sundararaju ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 1 to 3 to change the name of service holder in respect of service number 39 at Aarachi Village, Musiri taluk, Trichy District in favour of the petitioner by virtue of registered sale deeds within time frame fixed by this Hon'ble Court.

For Petitioner : Mr.T.Vadivelan

For Respondents :Mr.E.P.Venkateswar
No.1 to 3 for Mr.Johnny Basha
standing counsel

O R D E R

Mr.E.P.Venkateswar, learned counsel takes notice for R1 to R3. Notice to the fourth respondent is dispensed with in view of the 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 that his representation dated 12.01.2018 seeking to change the name of service holder in respect of service number 39 at Aarachi Village,



Musiri taluk, Trichy District in favour of him by virtue of registered sale deeds, 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 third respondent to consider the petitioner's representation dated 12.01.2018 on its own merits and take further action in accordance with law, within a period of four 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 persons who may be interested in the subject property.

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

Sd/-

Assistant Registrar (T&P)

/True Copy/

Sub Assistant Registrar

To:

1. The Superintending Engineer,
Tamil Nadu (Electricity) Generation and Distribution Limited,
Trichy District, Trichy.
2. The Executive Engineer,
Operation and Maintenance,
TamilNadu (Electricity) Generation and Distribution Corporation,
Musiri, Trichy District.
3. The Assistant Engineer,
Operation and Maintenance,
TamilNadu (Electricity) Generation and Distribution Corporation,
Musiri, Trichy District.

+1CC to Mr.T.Vadivelan, Advocate in SR.No.62565.

AAV

DS/SV/MMS/SAR-3 :16.05.2018: 2P/5C

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