



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.04.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD) No. 9974 of 2018

Pankajam

... Petitioner

vs.

1. The Superintending Engineer,
Trichy Electricity Distribution Circle,
TANGEDCO, Mannapuram,
Trichy- 20.

2. The Assistant Engineer,
Operation and Maintenance,
TANGEDCO, Thiruvanaikovil,
Trichy- 05.

3. The Junior Engineer,
Operation and Maintenance,
TANGEDCO, Thiruvanaikovil,
Trichy- 05.

4. G.Thanba @ Balakrishnan

... 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 consider petitioner's representation dated 13.04.2018 and change the electricity connection granted in the name of the fourth respondent to the premises at 5/2, Bharathi Street, Thiruvanaikovil, Trichy- 05 to the name of the petitioner.

For Petitioner : Mr.K.Raguvaran Gopalan

For Respondents

No.1 to 3 : Mr.S.M.S. Johnny Basha

O R D E R

Mr.S.M.S.Johnny Basha learned Counsel takes notice for respondents 1 to 3 Notice to the fourth 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 that his representation dated 13.04.2018 seeking to change the electricity connection granted in the name of the fourth respondent to the premises at 5/2, Bharathi Street, Thiruvananthapuram, Trichy- 05 to his name, 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 13.04.2018 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 his brother 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,
Trichy Electricity Distribution Circle,
TANGEDCO, Mannapuram,
Trichy- 20.

2. The Assistant Engineer,
Operation and Maintenance,
TANGEDCO, Thiruvananthapuram,
Trichy- 05.



3. The Junior Engineer,
Operation and Maintenance,
TANGEDCO, Thiruvanaikovil,
Trichy- 05.

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+1cc to Mr.K.PRABHAKAR, Advocate, SR.No.64560

W.P. (MD) No. 9974 of 2018
and

W.M.P. (MD) No.9125 of 2018
27.04.2018

AAV

KK/KKR/14.05.2018/SAR-2/3P-5C