

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 28.04.2018****CORAM:**

WEB COPY

THE HONOURABLE MR.JUSTICE M.S.RAMESH**W.P. (MD) No.10156 of 2018
and W.M.P. (MD) No.9207 of 2018**

Radhamani

... Petitioner

vs.

1.The Chief Engineer
Tamil Nadu Electricity Board
(TANGEDCO) Distribution
Parvathypuram, Nagercoil
Kanyakumari District

2.The Junior Engineer
Tamil Nadu Electricity Board
(TANGEDCO) Distribution
Ethamozhi Post, Nagercoil
Kanyakumari District

3.A.Suresh

4.A.Maheshwaran

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to consider the petitioner's representation, dated 28.03.2018 and pass necessary orders to retransfer the electricity connection for Door No.116A, R.S.No.207/6, South Soorankudy and Post, Dharmapuram Village, Agasteeswaram Taluk, Kanyakumari District, to the name of the petitioner in view of Decree in O.S.No.520 of 1987, on the file of the I Additional District Munsif Court, Nagercoil, within a stipulated time.

For Petitioner : Mr.D.Nallathambi

For Respondents: Mr.A.U.Ramanathan for R1 and R2

O R D E R

Mr.A.V.Ramanathan, learned counsel, takes notice for the respondents 1 and 2. Notice to the respondents 3 and 4 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 her representation dated 28.03.2018 seeking for retransfer of electricity service connection for Door No.116A, R.S.No.207/6, South Soorankudy and Post, Dharmapuram Village, Agasteeswaram Taluk, Kanyakumari District, to her name in view of the Decree passed in O.S.No.520 of 1987, on the file of the I Additional District Munsif Court, Nagercoil, has not been considered by the respondents till date and therefore, she 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 28.03.2018 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.

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

sd/-

Assistant Registrar (CS-III)

/True Copy/

Sub Assistant Registrar

krk

To,

1.The Chief Engineer, Tamil Nadu Electricity Board
(TANGEDCO) Distribution, Parvathypuram, Nagercoil
Kanyakumari District

2.The Junior Engineer, Tamil Nadu Electricity Board
(TANGEDCO) Distribution Ethamozhi Post, Nagercoil
Kanyakumari District

+1cc to Mr.D.Nallathambi, Advocate in SR.No. 644420

GJM/MMS/SAR-I-28.5.18-2P-4C