



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.06.2018

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P. (MD) No.12322 of 2018

M.Sankaran

... Petitioner

vs.

1. The Executive Engineer
Office of the Executive Engineer
O&M TANGEDCO
Tamilnadu Electricity Board
Usilampatty, Madurai District
2. The Assistant Executive Engineer
TANGEDCO/Distribution
Checkanurani, Madurai District
3. The Assistant Engineer
Tamilnadu Electricity Board
Alawar Nagar Division
Nagamalai Pudukkottai
Madurai-625 019

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the third respondent to shift the electricity connection No.05-175-015-981G situated at Plot No.7A, M.M.Gardens, V.P.Sindhan Nagar, Nagamalai Pudukkottai, Madurai, within the premises of the petitioner house and consequently direct the respondents 1 to 3 to convert the electricity connection No.05-175-015-981G from Commercial Tariff to residential tariff.

For Petitioner : Mr.A.Anandan

For Respondents: Mr.E.P.Venkateshwar

for Mr.S.M.S.Johnny Basha

O R D E R

Mr.S.M.S.Johnny Basha, learned counsel, takes notice for the respondents.

<https://hcservices.ecourts.gov.in/hcservices/>

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 21.07.2017 seeking to shift the electricity service connection No.05-175-015-981G provided to the petitioner's house situated at Plot No.7A, M.M.Gardens, V.P.Sindhan Nagar, Nagamalai Pudukkottai, Madurai and to convert the same from commercial tariff to residential tariff, 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 21.07.2017 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 due opportunity to the petitioner as well as to the 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 (AS)

/True Copy/

Sub Assistant Registrar

To

1. The Executive Engineer
Office of the Executive Engineer
O&M TANGEDCO
Tamilnadu Electricity Board
Usilampatty,
Madurai District



2. The Assistant Executive Engineer
TANGEDCO/Distribution
Checkanurani, Madurai District

3. The Assistant Engineer
Tamilnadu Electricity Board
Alawar Nagar Division
Nagamalai Pudukkottai
Madurai-625 019

KRK

TE/SKN-RSK/SAR-3 : 19/06/2018 : 3P/4C

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