



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 13.07.2018
CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

WEB COPY

W.P. (MD) No.15228 of 2018

P.Daniel Karunakaran
S/o.Paulraj
A.G.Church
Nannakaram
Kasimajorpuram Main Road
Min Nagar via, Ramalayam, Courtallam
Tenkasi Taluk, Tirunelveli District

... Petitioner

vs.

1. The Assistant Electrical Engineer,
Distribution,
Tamil Nadu Electricity Board,
Mullikulam, Tirunelveli District.

2.The Assistant Engineer,
Distribution
Puliyangudi Sub Division,
Tamilnadu Electricity Board,
Puliyangudi, Tirunelveli District.

3. The Executive Engineer,
Distribution
Kadayanallur Division,
Kadayanallur, Tirunelveli District.

4. The Superintending Engineer,
Tirunelveli Generation and Distribution Circle
Tamilnadu Electricity Board,
Tirunelveli.

5.Muniyammal

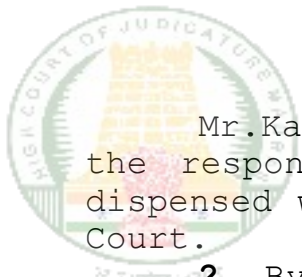
... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus to consider the representation of the petitioner, dated 31.05.2018 and direct the respondents to disconnect the free electricity connection or to give connections to the co-owners.

For Petitioner : Mr.S.Arunraj

For Respondents : Mr.Kasinathadurai

Standing Counsel for R1 to R3



Mr.Kasinathadurai, learned standing counsel, takes notice for the respondents 1 to 3. Notice to the respondents 4 and 5 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 31.05.2018 seeking to disconnect the electricity service connection No.1074, granted in the name of one Muniyammal, in respect of the Well situated in Survey No.66(5) of Thalaivankottai Village, Kadayanallur Taluk, has not been considered by the official 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 official 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 31.05.2018 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 due opportunity to the petitioner as well as to the fifth respondent and any other persons who may be interested in the subject matter.

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

Sd/-

Assistant Registrar(AS)

/True Copy/

Sub Assistant Registrar

+ 1 cc TO Mr.M.Shema Daniel , Advocate in SR No. 72744
+ 1 cc TO Mr.G.Kasinathadurai , Advocate in SR No. 73106

krk

AE/SV/SAR2/23.07.2018/2P/3C

W.P. (MD) No.15228 of 2018
13.07.2018