



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.01.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

W.P.(MD)No.9954 of 2014

Elangovan

... Petitioner

-Vs-

1.The District Collector,
Pudukkottai,
Pudukkottai District.

2.The Superintending Engineer,
Tamil Nadu Generation and Distribution
Corporation Limited, (TANGEDCO)
Pudukkottai, Pudukkottai District.

3.The Assistant Engineer,
Tamil Nadu Generation and Distribution
Corporation Limited, (TANGEDCO)
Gandharvakottai, Pudukkottai District.

... Respondents

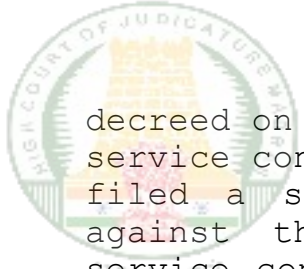
Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the third respondent to dispose the petitioner's representation dated 17.05.2014 in accordance with law within the time stipulated by this Hon'ble Court.

For Petitioner : Mr.B.Chandran
For R1 : Mr.Aayiram K.Selvakumar,
Additional Government Pleader.
For R2 & R3 : Mr.Venkateshwar
for Mr.S.M.S.Johnny Basha

ORDER

The Writ Petition has been filed seeking a direction to the third respondent to consider the petitioner's representation dated 17.05.2014.

2.According to the petitioner, he is the owner of the property in Survey No.32/19 and the above property has also obtained service connection. Subsequently, the petitioner got an another land in exchange in Survey No.32/18b through a registered exchange deed on 12.10.2004 and subsequently, he filed a petition seeking transfer of the existing service connection in Survey No.32/19 to the new Survey No.32/18B. He has also filed a suit in O.S.No.25 of 2004 for mandatory injunction before the Principal District Munsif Court, Pudukkottai District, and the above said suit has been



decreed on 28.04.2004 thereby directing the respondents to shift the service connection to Survey No.32/18b. Subsequently, one Natarajan filed a suit in O.S.No.348/2004 for declaration and injunction against the respondents restraining the respondents from give service connection. Even though the suit for declaration has been decreed, the prayer for injunction has been dismissed. The said Natarajan did not file any appeal. However, the petitioner field an appeal against the decree for declaration that was also dismissed. Subsequently, the petitioner filed an application to transfer the service connection, pursuant to the decree, but so far, no action has been taken. Hence, the present Writ Petition has been filed.

3.The learned counsel for the respondents submitted that the respondents directed the petitioner to produce all the relevant documents in respect of the decree passed by the Principal District Munsif Court, Pudukkottai District, but so far, the petitioner did not produce some of the documents.

4.Considering the facts and circumstances of the case, the petitioner is directed to furnish the Judgment and Decree passed by the Civil Court and also relevant documents as required by the respondents within a period of two weeks from the date of receipt of a copy of this order and on filing of such documents, the respondents are directed to consider the same and pass orders on merits and in accordance with law, within a period of eight weeks thereafter.

5.With the above direction, this Writ Petition is disposed of accordingly. There shall be no order as to costs.

Sd/-

Assistant Registrar(CSII)

/True Copy/

Sub-Assistant Registrar

To

- 1.The District Collector, Pudukkottai,
Pudukkottai District.
- 2.The Superintending Engineer,
Tamil Nadu Generation and Distribution
Corporation Limited, (TANGEDCO)
Pudukkottai, Pudukkottai District.
- 3.The Assistant Engineer,
Tamil Nadu Generation and Distribution
Corporation Limited, (TANGEDCO)
Gandharvakottai, Pudukkottai District.

+One cc to M/s.D.Parisuthanathan, Advocate, SR.No.42502

Myr