



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.07.2018

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.(MD)No.16302 of 2018

P.Murugaraj

: Petitioner

Vs.

1.The Superintending Engineer,
Tamilnadu Generation and
Distribution Corporation,
Theni.

2.The Executive Engineer, (East)
Tamilnadu Generation and
Distribution Corporation,
Periyakulam.

3.The Assistant Engineer,
Tamilnadu Generation and
Distribution Corporation,
Periyakulam.

: Respondents

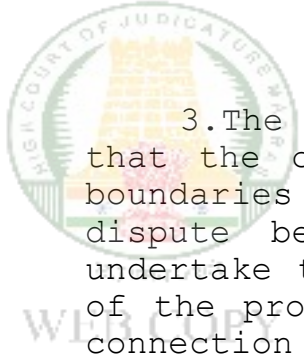
PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, to direct the second respondent to consider petitioner's representation dated 16.07.2018 and give electricity connection as per the application made by the petitioner in பதிவு எண். செ.வா/பா.220/2017-18 dated 21.09.2017.

For Petitioner : Mr.S.Balaji
For Respondents : Mr.S.M.S.Johny Basha

ORDER

The petitioner, on 06.07.2017, filed an application, seeking for electricity connection under SFS (Thatkal) Scheme. The present Writ Petition has been filed for a direction to the second respondent to consider the representation seeking for electricity connection.

2.The learned standing counsel appearing for the respondents submitted that in this regard, there is a rival claimant, namely one Ganesan and therefore, they are unable to process the application of the petitioner.



3.The counsel for the petitioner on the other hand submitted that the claim of the rival claimant is only with regard to the boundaries on their adjacent properties and there is no title dispute between them and hence, the petitioner is willing to undertake that if it is found that the said Ganesan has title over of the property, the petitioner is ready to hand over the service connection to the said Ganesan.

4.In the light of the submissions, there shall be a direction to the second respondent to consider the petitioner's application dated 16.07.2018, after receiving necessary deposit amount / fee from the petitioner herein. The petitioner shall also execute an affidavit before the second respondent expressing his willingness to hand over the service connection to the second respondent, in case the rival claimant, namely Ganesan, proves his title over of the property. The petitioner shall make the deposit amount for service connection atleast on 31.07.2018.

5.With these observations and directions, this Writ Petition stands allowed. No costs.

Sd/-
Assistant Registrar(CO)

/True copy/

Sub Assistant Registrar(CS-IV)

To

+1cc to Mr.S.Balaji, Advocate, SR.No.75794.
+1cc to Mr.S.M.S.Johny Basha, Advocate, SR.No.75776.

W.P. (MD) No.16302 of 2018
30.07.2018

GNS

RAM/SV/SAR 4/31.07.2018/2P/3C