



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.06.2018

CORAM:

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THE HONOURABLE MR. JUSTICE S.S.SUNDAR

W.P. (MD) No.13078 of 2017
and
W.M.P. (MD) .10125 of 2017

Kanakaraj

... Petitioner

vs.

- 1.The Tamil Nadu Generation and Distribution Corporation Limited,
Represented by its Chairman,
Anna Salai, Chennai 600 002.
- 2.The Superintending Engineer,
The Tamil Nadu Generation and Distribution Corporation Limited,
Kanyakumari District.
- 3.The Executive Engineer,
The Tamil Nadu Generation and Distribution Corporation Limited,
Kuzhithurai, Kanyakumari District.
- 4.The Assistant Executive Engineer,
The Tamil Nadu Generation and Distribution Corporation Limited,
Kuzhithurai, Kanyakumari District.
- 5.The Junior Engineer,
The Tamil Nadu Generation and Distribution Corporation Limited,
Kaliakkavilai, Kaliakkavilai Post,
Kanyakumari District.
Pin 629 153.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent to give to the petitioner supply of electricity for his building, bearing Door No.16-70/1 of Palukal Town Panchayat, that is, Eenchavilakkonam, Palukal, Palukal Post, Kanyakumari District, within a time to be fixed by this Court.

For Petitioner : Mr.K.N.Thampi

For Respondents : Mr.A.U.Ramanathan

**ORDER**

The prayer sought for in this Writ Petition is for issuance of a Writ of Mandamus, directing the respondents to provide electricity supply to the building which is located in Eenchavilakkonam, Palukal, Palukal Post, Kanyakumari District.

2. The learned counsel appearing for the petitioner submits that similar order passed by this Court in W.P.(MD).Nos.7403 and 7404 of 2017, dated 21.06.2018, which is also applicable to the present Writ Petition may be passed.

3. The learned counsel for the respondents though admitted that the respondents are bound to give supply of electricity with proof of petitioner's lawful possession and other conditions, stated that the application filed by the petitioner is returned. The said submission has been denied by the learned counsel for the petitioner. However, the learned counsel appearing for the petitioner submitted that without prejudice to their contentions in the main writ petition, the petitioner is prepared to submit fresh application and on such submission the respondents may be directed to consider the applications within the time stipulated. The learned counsel for the petitioner further apprehends that the respondents may be directed to receive the application to be submitted by the petitioner or his counsel as in respect of the same matter the application submitted earlier was not accepted when it was presented to the respondent in person.

4. Considering the grievance of the petitioner, this Court is inclined to pass the following directions:

i) The petitioner is directed to file fresh application along with the registration fees and other usual documents before the fifth respondent within a period of one week from the date of receipt of a copy of this order.

ii) The fifth respondent shall consider the application submitted by the petitioner and pass appropriate orders or extend the electricity supply within a period of four weeks from the date of receipt of such application.

iii) The learned counsel appearing for the petitioner states that the petitioner may be permitted to submit their application in person. Hence the fifth respondent is also directed to receive fresh application from the petitioner during office hours.



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

Sd/-

Assistant Registrar (AS)

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/True copy/

Sub Assistant Registrar

To

1. The Tamil Nadu Generation and Distribution Corporation Limited,
Represented by its Chairman,
Anna Salai, Chennai 600 002.
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Kanyakumari District.
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+1cc to Mr.K.N.Thampi, Advocate, SR.No.69907.

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and

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sj i

RAM/SKN RSK/SAR 4/09.07.2018/3P/7C