



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.08.2018

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P. (MD) No.9363 of 2017

and

W.M.P. (MD) No.7132 of 2017

Sudalai

... Petitioner

vs.

1.The Assistant Engineer
Urban/Distribution
O/o.Assistant Executive Engineer
Distribution, TANGEDCO
Sub Station Campus
Palaya Pettai
Tirunelveli-627 008

2.The Junior Engineer
Urban/Distribution
O/o.Assistant Executive Engineer
Distribution, TANGEDCO
Sub Station Campus, Palaya Pettai
Tirunelveli-627 008

3.Kala

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus directing the official respondents No.1 & 2 to provide the EB Service connection to the petitioner's house in T.S.No.826 situated at 113A/1, Puttarathiamman Kovil Steet, Tirunelveli Town, Tirunelveli through the public pathway situated at T.S.No.822 in Puttarathiamman Kovil Street, Tirunelveli Town, Tirunelveli.

For Petitioner : Mrs.K.Abiya
For Respondents : Mr.Kasinathadurai for R1 & R2
No appearance for R3

O R D E R

Heard the learned counsel for the petitioner and the learned counsel for the respondents 1 and 2. There is no representation for the third respondent.

2. The grievance of the petitioner is that though he had applied for electricity service connection for his house bearing Door No.113A/1, situated at Puttarathiamman Kovil Steet, Tirunelveli Town, Tirunelveli, the official respondents have not considered the application till date and hence, he has filed the present writ petition.



3. When an application has been validly made, there would not be any justification on the part of the official respondents to keep it pending indefinitely.

4. It is the case of the petitioner that he had purchased the subject property through a valid sale deed and constructed a house, after getting plan approval from the concerned Authorities, in the year 2012 itself. He has also been paying property tax to the Corporation. As such, there is no justification on the part of the official respondents to keep the petitioner's application seeking for electricity service connection pending indefinitely.

5. In view of the above observations, the respondents 1 and 2 are directed to consider the petitioner's application, dated 11.05.2017, and pass appropriate orders on merits and in accordance with law, within a period of two weeks from the date of receipt of a copy of this order.

6. The writ petition is disposed of with the above directions. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (Crl.Side)

/True Copy/

Sub Assistant Registrar (Cs-III)

To:

- 1.The Assistant Engineer,
Urban/Distribution,
O/o.Assistant Executive Engineer,
Distribution, TANGEDC,O
Sub Station Campus,
Palaya Pettai,
Tirunelveli-627 008.
- 2.The Junior Engineer,
Urban/Distribution,
O/o.Assistant Executive Engineer,
Distribution, TANGEDCO,
Sub Station Campus, Palaya Pettai,
Tirunelveli-627 008.

KRK

DS SKN SAR-3 ;29.08.2018; 2P/3C

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and

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01.08.2018