

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.02.2019

CORAM

THE HONOURABLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.5298 of 2019
and
W.M.P.No.6013 of 2019

P.N.Ramalingam

... Petitioner

Vs.

1. The Superintending Engineer,
TANGEDCO,
Erode Electricity Distribution Circle,
949, E.V.N. Road,
Erode - 638009.
2. The Assistant Executive Engineer (O&M),
Thalayanallur,
Ammankovil Post,
Sivagiri - 638109,
Kodumudi Taluk, Erode District.
3. The Assistant Engineer (O&M),
Sivagiri West,
152 LDS Street,
Opposite to Government Boys School,
Sivagiri 638109,
Kodumudi Taluk, Erode District.

4. Chennimalaigounder

5. Nallasivam

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, forbearing the respondents 1 to 3 from giving electricity connection to the respondents 4 and 5 in respect of R.S.No.638/1 to 15 old S.F.No.6/1A by considering the petitioner's representation dated 13.02.2018.

For Petitioner	: Mr.R.Prabakar
For Respondents	: Mr.S.K.Rameshwar
	Standing Counsel for R1 to R3

O R D E R

Mr.S.K.Rameshwar, learned Standing Counsel takes notice for the respondents 1 to 3. Since this writ petition is being disposed of without affecting the interest of the respondents 4 and 5, notice to the said respondents is dispensed with.

2. The petitioner seeks for a mandamus forbearing the respondents 1 to 3 from giving electricity connection to the respondents 4 and 5 in respect of R.S.No.638/1 to 15 old S.F.No.6/1A, by considering his representation dated 13.02.2019.

3. According to the petitioner, the respondents 4 and 5 are trying to draw power line through a land, which is a pathway.

4. The grievance of the petitioner is that even though he made the representation on 13.02.2019 requesting the respondents 1 to 3 not to give power connection to the respondents 4 & 5, the said representation is still pending and not yet considered so far.

5. This Court, at this stage, is not expressing any view on the merits of the claim made by the petitioner, as it is for the third respondent to consider and decide the same. Accordingly, this writ petition is disposed of, only by directing the third respondent to consider the representation dated 13.02.2019 and pass orders on the same on merits and in accordance with law, after hearing the petitioner, the respondents 4 & 5 and other interested parties, if any. Such exercise shall be done by the third respondent within a period of eight weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CO)

//True Copy//

Sub Assistant Registrar

mk

To

1. The Superintending Engineer,
TANGEDCO,
Erode Electricity Distribution Circle,
949, E.V.N. Road,
Erode - 638009.

2. The Assistant Executive Engineer (O&M),
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3. The Assistant Engineer (O&M),
Sivagiri West,
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Sivagiri 638109,
Kodumudi Taluk, Erode District.

+1cc to Mr.R.Prabakar, Advocate, S.R.No. 17757

W.P.No.5298 of 2019

RSI (CO)
GN(23/03/2019)



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