

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.04.2019

CORAM:

THE HONOURABLE MR. JUSTICE T.RAJA

W.P.No.9787 of 2019 and

WMP.No.10395 of 2019

N.Sudhakar

... Petitioner

Vs

1. The Superintending Engineer,
Krishnagiri Electricity Distribution Circle,
Krishnagiri.

2. The Assistant Engineer,
TANGEDCO,
Hosur-635 109.

3. K.Marappa

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st respondent to dispose of the Appeal Petition dated 21.02.2019 of the petitioner within a time fixed by this Court.

For Petitioner : Mr.K.Chandrasekaran
For Respondents : Mr.M.Varunkumar,
1 and 2 Standing Counsel

O R D E R

This Writ Petition has been seeking to issue a Writ of Mandamus, directing the 1st respondent, namely, the Superintending Engineer, Krishnagiri Electricity Distribution Circle, Krishnagiri, to dispose of the Appeal Petition dated 21.02.2019 of the petitioner within a stipulated time fixed by this Court.

2. According to the petitioner, he has purchased a property in S.No.882/2 1 Acre 38 cents in Nallur Village, Hosur Taluk from one A.Sivakumar by virtue of a registered sale deed dated 18.01.2007 bearing Document No.972/2007 registered at Sub Registrar's Office, Hosur. Thereafter, he has made a representation dated 31.01.2019 requesting the Assistant Engineer, TANGEDCO, Hosur, the 2nd respondent herein not to give any electricity service connection to the 3rd respondent, namely, K.Marappa, son of Kenchappa, at Door No.4/4M, Maharaja Nagar, Nallur Post, Hosur Taluk, Krishnagiri District. On receipt of

the same, the 2nd respondent by Communication dated 05.02.2019 asked the petitioner to produce all the relevant documents to substantiate his right over the property. Accordingly, it is stated that the petitioner has submitted a copy of the Sale Deed and parent documents along with Encumbrance Certificate etc. But the 2nd respondent after perusing the entire documents refused to consider the case of the petitioner stating the reason that the petitioner has not produced any of the relevant document, when the petitioner has already produced all the relevant documents for his perusal. Therefore, the petitioner has filed an appeal before the the Superintending Engineer, Krishnagiri Electricity Distribution Circle, Krishnagiri, the 1st respondent herein on 21.02.2019. Since the same has not been disposed of till date, the petitioner is before this Court with this Writ Petition.

3. Mr.M.Varunkumar, learned Standing Counsel, who takes notice for the respondents 1 and 2, sought for reasonable time to dispose of the pending appeal.

4. Considering the limited prayer made in the Writ Petition, without going into the merits of the claim made by the petitioner, this Court directs the 1st respondent, namely, the Superintending Engineer, Krishnagiri Electricity Distribution Circle, Krishnagiri, to consider and dispose of the pending appeal of the petitioner dated 21.2.2019 on merits and in accordance with law, within a period of three weeks from the date of receipt of a copy of this Order.

5. With the above direction, the Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

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To

1. The Superintending Engineer,
Krishnagiri Electricity Distribution Circle,
Krishnagiri.

2. The Assistant Engineer,
TANGEDCO,
Hosur-635 109.

+1cc to Mr.M.Varunkumar, Advocate sr.32658
+1cc to Mr.K.Chandrasekaran, Advocate sr.31928

W.P.No.9787 of 2019

nr 08/05/2019



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