

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 14.07.2020

CORAM:

THE HON'BLE MR.JUSTICE M.DURAISWAMY

W.P.No.9640 of 2017

K.Prabhavathi

...Petitioner

v.

1. The Chairman,
Tamil Nadu Electaricity Board,
800, Anna Salai,
Chennai - 600 003.
2. The Superintending Engineer,
Tamil Nadu Generation and Distribution
Corporation Ltd.,
Olimohammedpet,
Kanchipruam - 631 501.
Kanchipuram District.
3. The Junior Engineer,
Tamil Nadu Generation and Distribution
Corporation Ltd.,
Tiruvallur,
Tiruvallur District.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 2nd respondent to effect name tranfer in respect of the E.B. Service connection Nos. i) 08366015337, ii) 08366015439 and iii) 08366015736 by considering the petitioner's representations dated 29.08.2016, 09.03.2017 and 29.03.2017.

For Petitioner : Mr.N.Manokaran

For Respondent : Mr. P. Gunaraj, Standing Counsel

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O R D E R

The petitioner has filed the above Writ Petition to issue a Mandamus, directing the 2nd respondent to effect name transfer in respect of the E.B. Service connection Nos. i) 08366015337, ii) 08366015439 and iii) 08366015736 by considering the petitioner's representations dated 29.08.2016, 09.03.2017 and 29.03.2017.

2. Mr.N.Manokaran, learned counsel appearing for the petitioner submitted that originally, the service connections stood in the name of the petitioner's mother and two other partners, viz., Ayyaluswamy and P.Ramamurthy. Subsequently, by a registered sale deed dated 02.07.1992, the petitioner's mother became the absolute owner of the property along with three electricity service connections. Subsequently, the petitioner's mother O.Janakiammal had died in December 2004. Thereafter, the petitioner gave applications dated 29.08.2016, 09.03.2017 and 29.03.2017 for effecting the name transfer in respect of the electricity service connections.

3. It is brought to the notice of this Court that there was a complaint of theft of energy in respect of the service connections, hence First Information Reports were also registered against the petitioner's mother. Subsequently, in the criminal case pending before the Judicial Magistrate Court, Tiruvallur, the parties had entered into a compromise and in the Lok Adalat, the petitioner's husband, who was enjoying the service connections, gave his consent to pay the amount demanded by the Electricity Board. Pursuant to the same, an award was also passed by the Lok Adalat. However, admittedly, the petitioner has not paid the amount as per the award passed in the Lok Adalat so far.

4. Mr. P.Gunaraj, learned Standing Counsel appearing for the respondents submitted that in the event of the petitioner paying the entire amount awarded in the Lok Adalat, the respondent would effect name transfer.

5. Mr. N.Manohar, learned counsel appearing for the petitioner submitted that the petitioner would pay the entire amount as awarded by the Lok Adalat within a period of two weeks. Learned counsel for the petitioner has also submitted that since the award has been passed in the year 2017, the petitioner would pay the necessary penal interest as awarded in the Lok Adalat for the delayed payment.

6. Having regard to the submissions made by the learned counsel on either side, the petitioner is granted two weeks time for making payment of the entire amount together with penal interest as awarded in the Lok Adalat and on making such payment, the 3rd respondent shall effect the name transfer, within a period of 10 days from the date of payment.

With these observations, the Writ Petition is disposed of.
No costs.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

Rj

To

1. The Chairman,
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W.P.No.9640 of 2017

GJ(CO)

KKV/18/08/2020

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