



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.03.2020

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P(MD)No.5803 of 2020

P.Alagar

... Petitioner

Vs.

- 1.The Superintending Engineer
(Production and Distribution)
Tamil Nadu Electricity Board,
Sivagangai,
Sivagangai District.
- 2.The Executive Engineer
(Power and Distribution)
Tamil Nadu Electricity Board,
Rajakambeeram,
Manamadurai Taluk,
Sivagangai District.
- 3.The Assistant Engineer (Distribution)
Tamil Nadu Electricity Board,
Rajakambeeram,
Manamadurai Taluk,
Sivagangai District.

4.P.Muniyandi

... Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the the respondents 2 and 3 to remove the name of the 4th respondent and transfer the Electricity Service No.568 in S.No.26/1 of Kirungakottai Revenue Village either in the name of Late. M.Periyasamy or in the name of the petitioner and his brother Muniyandi since the property stands in the name of Periyasamy who is the father of the petitioner and the 4th respondent as per the representation made by the petitioner dated 04.09.2018 and 31.01.2019.

For Petitioner : Mr.S.Nagarajan

For Respondents 1 to 3 : Mrs.M.Rajeswari,
For Mr.S.M.S.Johny Basha,
Standing Counsel



O R D E R

By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

2.The petitioner seeks a Mandamus to pass orders on the representation given by him dated 04.09.2018 and again on 31.01.2019.

3.The petitioner P.Alagar and the fourth respondent are brothers. Their father Periyasamy, unfortunately died on 26.01.2000. Thereafter, there appears to have been several disputes between the petitioner and the fourth respondent. The fourth respondent got the patta in his name. On the basis of the patta, he got electricity connection fraudulently, in his name. The petitioner has filed an application for removal of the fourth respondent's name in the patta. After enquiry, the Tahsildar had cancelled the patta issued in favour of the fourth respondent and the patta in his name. That order has been granted by the Tahsildar, Manamadurai. Based on the order of the Tahsildar, now the petitioner seeks to remove the name of the fourth respondent in the electricity connection and put his name. In this connection, he had given two representations on 04.09.2018 and again on 31.01.2019.

4.Heard the learned Counsel on either side and perused the entire materials available on record.

5.It is only be in the interest of both the petitioner and the fourth respondent that the second respondent issues notice to both the petitioner and the fourth respondent, examines the records and thereafter, passes orders with reasons. This exercise shall be completed by the second respondent on or before 30.04.2020.

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

Sd/-

Assistant Registrar

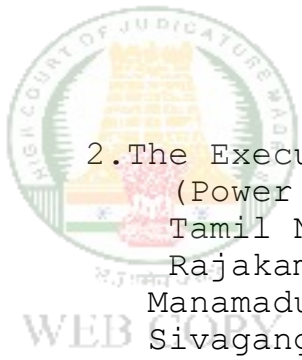
/TRUE COPY/

/ /2020

Sub Assistant Registrar

To

1.The Superintending Engineer
(Production and Distribution)
Tamil Nadu Electricity Board,
Sivagangai, Sivagangai District.



2.The Executive Engineer
(Power and Distribution)
Tamil Nadu Electricity Board,
Rajakambeeram,
Manamadurai Taluk,
Sivagangai District.

3.The Assistant Engineer (Distribution)
Tamil Nadu Electricity Board,
Rajakambeeram,
Manamadurai Taluk,
Sivagangai District.

+1. C.C. to M/S.S.Nagarajan, Advocate SR.No. 12907

W.P (MD) No.5803 of 2020
20.03.2020

RM
JM/13.05.2020/3P/5C