



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.12.2020

CORAM:

THE HONOURABLE MR.JUSTICE **ABDUL QUDDHOSE**

W.P. (MD)No.15814 of 2020

(Through the Video Conferencing)

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Annamalai

... Petitioner

Vs

1. The Assistant Executive Engineer (Rural),
TANGEDCO, Karaikudi.

2. The Executive Officer / President,
Kallupatti Village Panchayat,
Sivagangai District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the first respondent to change the Tariff from VI to I-A in EB Connection No.403-006-1248, located at Annamalaiyar Illam, 37/5, Ammankovil Street, Kallupatti, Karaikudi Taluk, Sivagangai District, within a time stipulated by this Court.

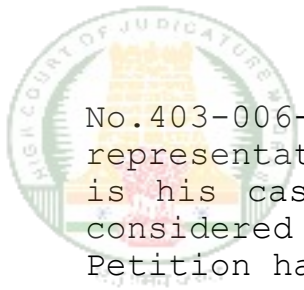
For Petitioner	: Mr.I.Pinyagash
For R-1	: Mrs.M.Rajeswari for Mr.S.M.S.Johny Basha Standing Counsel
For R-2	: Mr.K.P.Narayanakumar Special Government Pleader

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the first respondent to change the Tariff plan from VI to I-A in respect of the EB Connection No.403-006-1248, located at Annamalaiyar Illam, 37/5, Ammankovil Street, Kallupatti, Karaikudi Taluk, Sivagangai District.

2. Heard Mr.I.Pinaygash, learned counsel for the petitioner, Mrs.M.Rajeswari, learned counsel representing Mr.S.M.S.Johny Basha, learned Standing counsel for the first respondent and Mr.K.P.Narayanakumar, learned Special Government Pleader for the second respondent.

3. The petitioner seeks for change of Tariff plan from VI to I-A in respect of the electricity service connection



No.403-006-1248 at the above mentioned property. He has given a representation on 05.10.2020 seeking for change of Tariff plan. It is his case that till date, the said representation has not been considered by the respondents. In such circumstances, this Writ Petition has been filed.

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4. The petitioner has sought for a positive direction from this Court to direct the first respondent to change the Tariff plan for his property. Such a positive direction cannot be issued by this Court and it is for the first respondent to consider the petitioner's representation on merits and in accordance with law.

5. The petitioner has given a representation on 05.10.2020 seeking for change of Tariff plan from VI to I-A in respect of the EB Connection No.403-006-1248, located at Annamalaiyar Illam, 37/5, Ammankovil Street, Kallupatti, Karaikudi Taluk, Sivagangai District. Admittedly, till date, the said representation has not been considered by the first respondent. No prejudice will be caused to the first respondent, if the representation of the petitioner is considered on merits and in accordance with law.

6. For the foregoing reasons, this Court directs the first respondent to consider the petitioner's representation dated 05.10.2020 seeking for change of Tariff plan from VI to I-A in respect of the EB Connection No.403-006-1248, located at Annamalaiyar Illam, 37/5, Ammankovil Street, Kallupatti, Karaikudi Taluk, Sivagangai District and pass final orders on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order, after affording sufficient opportunity to the petitioner and also after hearing all the necessary parties including any rival claimants, if any.

7. With the aforesaid direction, the Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (Crl.Side)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

tsg

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the Advocate/litigant concerned.



To

1. The Assistant Executive Engineer (Rural),
TANGEDCO, Karaikudi.

2. The Executive Officer / President,
Kallupatti Village Panchayat,
Sivagangai District.

W.P. (MD) No.15814 of 2020
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