



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.11.2020

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THE HONOURABLE **MR.JUSTICE ABDUL QUDDHOSE**

W.P. (MD)No.16270 of 2020

Ponnammal

... Petitioner

Vs.

1.The Assistant Engineer (Electrical),
TANGEDCO (TNEB)
Theni/Rural/North Division,
Theni.

2.R.Muralimohan

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the first respondent to consider the petitioner's representation dated 20.10.2020 and provide temporary Electricity Connection based on the Sanction No.11 dated 13.08.2020 approved by the first respondent subject to the condition of disconnection of temporary electricity connection, if any adverse order is passed by the Judicial Magistrate Court No.V, Theni in C.C.No.13 of 2017 against the petitioner/in respect of the house site of 3675 sq.ft(in 1 ac. 20 cents) in survey No.226/3B and 226/4B in Unjampatty village, Theni District within a time limit to be fixed by this Court.

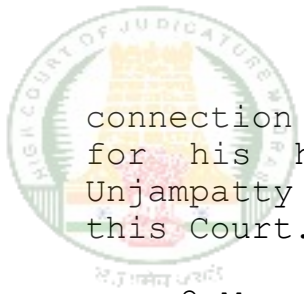
For Petitioner : Mr.K.Seemaraj

For R1 : Mrs.Rajeswari,
for S.M.S.Johny Basha,
Standing Counsel.

ORDER

(This petition was heard through video conferencing)

This writ petition has been filed for a Mandamus seeking for a direction to the first respondent to consider the petitioner's representation, dated 20.10.2020 and provide temporary electricity



connection based on the petitioner's application, dated 13.08.2020 for his house comprised in survey No.226/3B and 226/4B in Unjampatty village, Theni District, within a time frame fixed by this Court.

2.Mrs.Rajeswari, learned counsel, for S.M.S.Johny Basha, learned Standing Counsel accepts notice on behalf of the first respondent. Notice to the second respondent is dispensed with, since no adverse order is going to be passed against him. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

3.It is the case of the petitioner that he is the absolute owner of the aforementioned property. According to him, he applied for electricity service connection with the first respondent on 13.08.2020 for the aforementioned house. He has also given a representation on 20.10.2020 to the first respondent calling upon him to consider his application, dated 13.08.2020 seeking for electricity service connection. The second respondent is a vendor of the petitioner and there are certain dispute between the second respondent and the petitioner. According to the petitioner, at the behest of the second respondent, the first respondent has not granted electricity service connection to him till date. In such circumstances, he has approached this Court under Article 226 of the Constitution of India seeking for a direction to the first respondent to consider his representation, dated 20.10.2020.

4.Heard Mr.K.Seemaraj, learned counsel appearing for the petitioner and Mrs.Rajeswari, learned counsel, for S.M.S.Johny Basha, learned Standing Counsel appearing for the first respondent.

5.The relief sought for in this writ petition is an innocuous relief. No prejudice will be caused to the respondents, if the representation of the petitioner is considered by the first respondent on merits and in accordance with law, after hearing necessary parties including the petitioner as well as the second respondent.

6.For the foregoing reasons, this Court directs the first respondent to consider the petitioner's representation, dated 20.10.2020 seeking for temporary electricity connection, based on his application, dated 13.08.2020 for his house site of 3675 sq.ft (in 1 ac. 20 cents) in survey No.226/3B and 226/4B in Unjampatty village, Theni District and pass final orders on merits and in accordance with law, after hearing all the necessary parties including the petitioner as well as the second respondent, within a period of eight weeks from the date of receipt of a copy of this order.



7. With the aforesaid direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS II)

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// True Copy //

/ /2020

Sub Assistant Registrar(CS)

gns

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

The Assistant Engineer (Electrical),
TANGEDCO (TNEB)
Theni/Rural/North Division,
Theni.

+1 CC to M/s.K.SEEMARAJ, Advocate (SR-22116[F] dated 19/11/2020)

W.P. (MD) No.16270 of 2020
19.11.2020

PE (CO)

KK(30.11.2020) 3P 3C