



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.12.2020

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. (MD)No.16880 of 2020
(Through Video Conferencing)

Baskar

... Petitioner

Vs

1.The Superintending Engineer,
Tamil Nadu Electricity Generation and Distribution
Corporation (TANGEDCO), Pudukkottai,
Pudukkottai District.

2.The Executive Engineer,
Operation and Maintenance,
Tamil Nadu Electricity Generation and Distribution
Corporation (TANGEDCO), Pudukkottai Sub Division,
Pudukkottai District.

3.The Assistant Engineer,
Operation and Maintenance,
Tamil Nadu Electricity Generation and Distribution
Corporation (TANGEDCO), Andakulam,
Pudukkottai District.

... Respondents

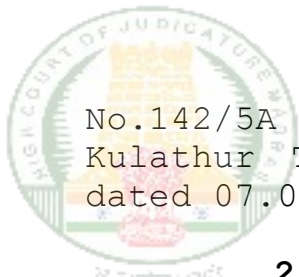
PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to grant electricity connection to the petitioners' new house situated in Survey No.142/5A at D.No.3/391, Mootampatti Village, Vaithur Post, Kulathur Taluk, Pudukkottai District, on the basis of the petitioner's application dated 07.09.2020 within a time stipulated by this Court.

For Petitioner : Mr.T.Veerakumar

For R-1 to R-3 : Mrs.M.Rajeswari
for Mr.S.M.S.Johny Basha
Standing Counsel

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the third respondent to grant electricity service connection to the petitioner's house situated in Survey



No.142/5A at D.No.3/391, Mootampatti Village, Vaithur Post, Kulathur Taluk, Pudukkottai District, based on his application dated 07.09.2020 within a time frame to be fixed by this Court.

2. Heard Mr.T.Veerakumar, learned counsel for the petitioner and Mrs.M.Rajeswari, learned counsel representing Mr.S.M.S.Johny Basha, learned Standing counsel for the respondents.

3. It is the case of the petitioner that he is the absolute owner of the above mentioned property. According to him, he has applied for a new electricity service connection with the third respondent on 07.09.2020 for the aforementioned property and he has also paid necessary fees for the same. According to him, till date, the said representation has not been considered by the third respondent. In such circumstances, this Writ Petition has been filed.

4. Mrs.M.Rajeswari, learned counsel representing Mr.S.M.S.Johny Basha, learned Standing counsel for the respondents, on instructions, would submit that a person by name Mr.Ravuthar, is also claiming right over the same property, for which, the petitioner is seeking for grant of electricity service connection. It is her contention that the said Ravuthar has not been impleaded as a party / respondent in this Writ Petition.

5. This Court after giving due consideration to the contents of the affidavit filed in support of the Writ Petition as well as after hearing the rival submissions of the respective counsels, is of the considered view that, the application dated 07.09.2020 submitted by the petitioner seeking for electricity service connection from the third respondent, will have to be considered by the third respondent on merits and in accordance with law, after hearing necessary parties including Mr.Ravuthar, who is also claiming right over the same property. No prejudice will be caused to the respondents, if the application dated 07.09.2020 submitted by the petitioner seeking for grant of electricity service connection to the petitioner's house is considered by the respondents.

6. For the foregoing reasons, this Court directs the third respondent to consider the petitioner's application dated 07.09.2020 seeking for grant of electricity service connection to his house situated in Survey No.142/5A at D.No.3/391, Mootampatti Village, Vaithur Post, Kulathur Taluk, Pudukkottai District and pass final orders on merits and in accordance with law, after hearing necessary parties including Mr.Ravuthar, who is claiming right over the same property, within a period of eight (8) weeks from the date of receipt of a copy of this order.



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

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Sd/-

Assistant Registrar (AD II)

// True Copy //

/ /2020

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 Superintending Engineer,
Tamil Nadu Electricity Generation and Distribution Corporation (TANGEDCO), Pudukkottai,
Pudukkottai District.
- 2.The Executive Engineer,
Operation and Maintenance,
Tamil Nadu Electricity Generation and Distribution Corporation (TANGEDCO), Pudukkottai Sub Division,
Pudukkottai District.
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Operation and Maintenance,
Tamil Nadu Electricity Generation and Distribution Corporation (TANGEDCO), Andakulam,
Pudukkottai District.

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NA (CO)

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