



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **03.12.2020**

CORAM

THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

W.P(MD) .No.17456 of 2020

Palaniyandi

.. Petitioner

Vs.

1. The Superintending Engineer,
TANGEDCO, (Operation & Maintenance),
Mannarpuram, Tiruchirappalli.

2. The Executive Engineer,
TANGEDCO, (Operation & Maintenance),
Manaparai, Tiruchirappalli.

3. The Assistant Engineer,
TANGEDCO,
Mettupatti, Marungapuri Taluk,
Tiruchirappalli.

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India for issuance of Writ of Mandamus, directing the respondents to transfer the service connection No.253-019-32 from the irrigation Well in S.F.No.237/11B to the petitioner's bore well in S.F.No.237/11C in Ayanpudupatti Village, Marungapuri Taluk, Tiruchirappalli District.

For Petitioner	:	Mr.R.Pon Karthikeyan
For Respondents	:	Mrs.M.Rajeswari for Mr.SMS.Johnny Basha Standing Counsel

ORDER

(This Matter was heard through the Video Conference)

This Writ Petition has been filed for a Mandamus seeking for a direction to the respondents to transfer the service connection No.253-019-32 from the irrigation Well in S.F.No.237/11B to the petitioner's bore well in S.F.No.237/11C, in Ayanpudupatti Village, Marungapuri Taluk, Tiruchirappalli District.

2.Heard Mr.R.Pon Karthikeyan, learned counsel for the petitioner and Mrs.M.Rajeswari, learned counsel for Mr.SMS.Johnny Basha, learned Standing counsel, who accepts notice on behalf of the respondents.



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

4.It is the case of the petitioner that he submitted an application with the third respondent to transfer the service connection from the irrigation Well in S.F.No.237/11B to the petitioner's bore well in S.F.No.237/11C, in Ayanpudupatti Village, Marungapuri Taluk, Tiruchirappalli District. It is his case that the third respondent had sent a communication to the petitioner, on 27.11.2019, requesting him to produce certain documents. According to the petitioner, he has submitted all the documents required by the third respondent for getting the transfer of the service connection. Since the third respondent has not transferred the service connection, this writ petition has been filed.

5.The petitioner has sought for a positive direction from this Court for transfer of the service connection from the irrigation Well to the petitioner's bore Well in S.F.No.237/11C. Such a positive direction cannot be issued by this Court. It is for the respondents to consider the petitioner's application seeking for transfer of service connection, on merits and in accordance with law. No prejudice will be caused to the respondents, if the application of the petitioner seeking for transfer of service connection is considered by them on merits and in accordance with law.

6.For the foregoing reasons, this Court directs the third respondent to consider the petitioner's application dated 25.11.2019, seeking for transfer of the service connection No.253-019-32 from the irrigation Well in S.F.No.237/11B to the petitioner's bore well in S.F.No.237/11C, in Ayanpudupatti Village, Marungapuri Taluk, Tiruchirappalli District and pass final orders in the said application, on merits and in accordance with law, after hearing all the necessary parties, including the petitioner, after affording sufficient opportunity to place all documents required for the transfer, 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 (A.E)

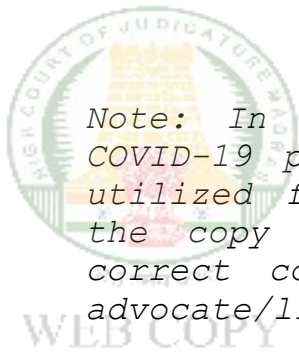
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/ /2020

Sub Assistant Registrar(CS)

TM

<https://hcservices.ecourts.gov.in/hcservices/>



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.

+1 CC to Mr.R.PON KARTHIKEYAN, Advocate SR-24068.

**W.P (MD) .No.17456 of 2020
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NA (CO)
CS (16.12.2020) 3P 2C