



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.11.2021

CORAM:

THE HON'BLE MR.JUSTICE KRISHNAN RAMASAMY

W.P.No.6069 of 2018

M.Mythili

...Petitioner

Vs.

1. The Chairman,  
Tamil Nadu Generation and Distribution  
Corporation Limited (TNGEDCO)  
No.222, Anna Salai,  
Chennai 600 002.

2. Executive Engineer  
Tamil Nadu Generation and Distribution  
Corporation Limited (TNGEDCO)  
Sembiam-Division,  
Electricity Supply-North Zone,  
Madhavaram High Road,  
Moolakadai, Chennai-11.

3. Assistant Engineer,  
Tamil Nadu Generation and Distribution  
Corporation Limited (TNGEDCO)  
Sembiam-Division,  
Electricity Supply-North Zone,  
Madhavaram High Road,  
Moolakadai, Chennai-11.

4. V.Palani

...Respondents

R4 impleaded vide order dated 08.04.2021  
made in W.M.P.No.8860 of 2018 in W.P.No.6069 of 2018.

Prayer: Writ Petition filed under Article 226 of the  
Constitution of India praying for issuance of Writ of Mandamus,  
directing the 3rd respondent to change the name in the EB card  
(065 004 1184 and 065 004 432) in the name of the petitioner  
pertaining Plot No.986 part, Door No.137/B, Ko.Si. Mani Street,  
Periyar Nagar, Vysarpadi, Chennai 600 039.

For Petitioner : M/S.R.Chandrasudan

For Respondents: Mr.L.Jai Venkatesh  
Standing Counsel



## ORDER

This Writ Petition has been filed seeking for issuance of mandamus on the third respondent to change the name in the EB card No.065 004 1184 and 065 004 432 from the erstwhile owner's name into petitioner's name.

2.The case of the petitioner is that the petitioner and her husband jointly purchased the property, bearing at Plot No.986, situated at Periyar Nagar, Vysarpadi, Chennai - 600 039, vide a registered sale deed, dated 07.11.2016. Therefore, the petitioner made a representation, dated 16.06.2017 along with all the copies of the relevant documents to 3rd respondent/Assistant Engineer, TANGEDCO to change the name in the EB Card, (i.e. from erstwhile owner's name into petitioner's name. However, the same has not been considered due the reason of pendency of civil dispute between the ershtwhile owner and the petitioner, in respect of the aforementioned property.

2.1 The learned counsel for the petitioner submits that as long as the document, viz. Sale deed, 07.11.2016, is available to prove the fact that the petitioner is the owner of the aforementioned property, there wont be any impediment for the 3rd respondent/TNGEDCO to transfer the name in the EB card. The learned counsel also produced the copy of the sale deed before this Court for reference, and sought for a direction upon respondents/TANGEDCO .

3.Per contra, Mr.L.Jai Venkatesh, the learned Standing Counsel appearing for the respondent-TANGEDCO submits that there is dispute with regard to the right/title/interest over the property, and unless and until the dispute is resolved, it is difficult for the respondent- TANGEDCO to carry out mutation in the EB card. However, the learned Standing Counsel fairly submits that, in the event, the petitioner produces the original document, viz., sale deed, dated 07.11.2016, which discloses the fact that the petitioner is the absolute owner of the property, then, the representation made by her would be considered on merits and in accordance with law and necessary orders would be passed.

4. Heard the learned counsel for the petitioner as well as the learned Standing Counsel for the respondent-TANGEDCO and perused the materials available on record.

5. In view of the submission made by the learned counsel for both sides, this Court deems fit that, it would be appropriate to direct the petitioner to produce the original sale deed along with other relevant documents, proving her right/title/interest over the property to the respondent-TANGEDCO for verification,



based on which, the respondent-TANGEDCO shall consider and pass orders.

6. Accordingly, this Writ Petition is disposed of by directing the petitioner to produce the original sale deed along with other relevant documents, proving her right/title/interest over the property before the third respondent-TANGEDCO for verification within a period of two weeks from the date of receipt of a copy of this order. As and when, the third respondent-TANGEDCO receives such original documents, he shall consider the petitioner's request and pass orders by transferring the name in the EB card into the petitioner's name within four weeks thereafter. No costs.

Sd/-  
Assistant Registrar(CS-VIII)

//True Copy//

Sub Assistant Registrar

jd

To

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W.P.No.6069 of 2018

KG(CO)  
RGA(28/12/2021)