



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.08.2021

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P No.12980 of 2021

Mrs.Meenatchi Velayudham

... Petitioner

Vs.

1. The Chairman,
Tamil Nadu Generation and Distribution
Corporation Limited (TANGEDCO),
Chennai.
2. The Superintending Engineer,
Tamil Nadu Generation and Distribution
Corporation Limited (TANGEDCO),
Tambaram West Electricity Distribution Division,
Kadaperi, Tambaram.
3. The Executive Engineer,
Tamil Nadu Generation and Distribution
Corporation Limited (TANGEDCO),
Tambaram West Electricity Distribution Division,
Tambaram.
4. The Executive Engineer,
Tamil Nadu Generation and Distribution
Corporation Limited (TANGEDCO),
Kadaperi Electricity Distribution Division,
Tambaram.

5.Saravana Kumar

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents 1 to 4 to consider and pass orders on the petitioner's representation dated 23.04.2021.

For Petitioner : Ms.E.Udayasankari

For Respondents : Mr.L.Jai Venkatesh
Standing Counsel



ORDER

This writ petition has been filed for the issue of writ of mandamus directing the respondents 1 to 4 to consider the representation made by the petitioner on 23.04.2021 wherein, the petitioner has sought for the restoration of the domestic electricity service connection to the subject premises.

2.The case of the petitioner is that the subject property originally belonged to her father and on his demise on 24.04.1997, the property vested on the mother and four children. The further case of the petitioner is that her mother died on 04.09.2018, thereafter, the four legal heirs are in possession and enjoyment of four portions in the property and each of them are entitled to one fourth share in the property.

3.The grievance of the petitioner is that the 5th respondent who is one of the co-owner, has put up an unauthorised construction and is preventing the electricity service connection that is connected to the portion which is in possession and enjoyment of the petitioner. According to the learned counsel for the petitioner, all the other three co-owners are enjoying the service connection and the petitioner alone is being prevented from having the service connection.

4.The petitioner therefore, made a representation to the respondents on 23.04.2021 in this regard and since the same was not considered by the respondents, the present writ petition has been filed before this Court seeking for appropriate direction.

5.Heard Ms.E.Udayasankari, learned counsel appearing on behalf of the petitioner and Mr.L.Jai Venkatesh, learned Standing Counsel appearing on behalf of the respondents 1 to 4.

6.Taking into consideration the facts and circumstances of the case and also the limited relief that has been sought for in this writ petition, there shall be a direction to the 4th respondent to consider the representation made by the petitioner on 23.04.2021 and conduct an enquiry after calling the petitioner and other co-owners of the property and the 4th respondent shall ensure that electricity service connection that has been given to the property is enjoyed by all the co-owners of the property. A decision shall be taken by the 4th respondent, within a period of four weeks from the date of receipt of copy of this order. The petitioner is directed to make a fresh



representation to the 4th respondent along with all relevant documents and also a copy of this order.

7. This writ petition is disposed of with the above direction. No Costs.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

ssr

To

1. The Chairman,
Tamil Nadu Generation and Distribution
Corporation Limited (TANGEDCO),
Chennai.
2. The Superintending Engineer,
Tamil Nadu Generation and Distribution
Corporation Limited (TANGEDCO),
Tambaram West Electricity Distribution Division,
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Corporation Limited (TANGEDCO),
Tambaram West Electricity Distribution Division,
Tambaram.
4. The Executive Engineer,
Tamil Nadu Generation and Distribution
Corporation Limited (TANGEDCO),
Kadaperi Electricity Distribution Division,
Tambaram.

+1CC to Mr.L.Jaivenkatesh, Advocate, Sr.No.38899

W.P No.12980 of 2021

JPL (CO)
K.RK. (02.09.2021)