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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.09.2021

CORAM:

THE HONOURABLE Mr. JUSTICE N.ANAND VENKATESH

W.P.No. 18287 of 2021

V. Ravichandran Son of Venkatesa Chettiar
No.17, Periyar Street, Tittakudi,
Cuddalore - 17.

..Petitioner

Vs.

1. The Executive Engineer
Tamilnadu Electricity Board
TANGEDCO
No.144, Anna Salai, Chennai - 2.
2. The Superintending Engineer
Operations & Maintenance
TANGEDCO,
Kallakurichi Electricity Distribution Circle,
Kallakurichi.
3. The Executive Engineer
Operations & Maintenance
TANGEDCO,
Kallakurichi Electricity Distribution Circle,
Kallakurichi.
4. Indirani, wife of S.V.Ranganathan Chettiar
90/54C, Salem Main Road, Kallakurichi
5. Suresh, son of S.V.Ranganathan Chettiar
90/54C, Salem Main Road, Kallakurichi
6. R. Jayanthi, daughter of S.V.Ranganatha Chettiar
90/54C, Salem Main Road, Kallakurichi
7. R. Rama Mani, daughter of S.V.Ranganatha Chettiar
90/54C, Salem Main Road, Kallakurichi

.. Respondents



Prayer: Writ petition is filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus forbearing the 2nd and 3rd respondent from effecting service connection to the petitioner's joint family property situated in Old.S.No.296/A1, 1B, 1C, New S.No.476/61, bearing Door No.90/54C1, Shop Nos.88/54C, 89/54C, 90, Salem Main Road, Kallakurichi, vide:applications/representations/requests submitted by the respondents 4 to 7.

For Petitioner : Mr.AR.M.Arunachalam
For Respondents : Mr.L. Jaivenkatesh
Standing counsel for R1 to R3

O R D E R

This writ petition has been filed for the issue of a writ of mandamus forbearing the 2nd and 3rd respondents from effecting service connection in the subject property based on the application submitted by respondents 4 to 7.

2. Heard Mr.AR.M.Arunachalam, learned counsel for the petitioner and Mr.L.Jaivenkatesh, learned standing counsel for the respondents 1 to 3.

3. In the present case, there seems to be a dispute between the petitioner and respondents 4 to 7 with regard to a joint family property. Earlier, a suit for partition was filed in O.S.No.149 of 2020 and the same was also withdrawn after the filing of the present writ petition.

4. The petitioner has made a representation/objection on 08.05.2021 to the 2nd and 3rd respondents requesting them not to provide any service connection in favour of respondents 4 to 7 based on the application submitted by them with regard to the subject property. Since the same was not considered, the present writ petition has been filed before this Court seeking for appropriate direction.

5. Taking into consideration the facts and circumstances of the case and the limited relief sought for in this writ petition, there shall be a direction to the 3rd respondent to consider the representation made by the petitioner on 08.05.2021 on its own merits and in accordance with law, after affording an opportunity to the petitioner and the respondents 4 to 7 and take a decision within a period of four weeks from the date of receipt of a copy of this order.



6. The petitioner is directed to make a fresh representation to the third respondent along with all the relevant documents and also a copy of this order.

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7. The writ petition is disposed of with the above direction. No costs.

Sd/-
Assistant Registrar (CS-V)

//True Copy//

Sub Assistant Registrar

RAP/RR

To

1. The Executive Engineer
Tamilnadu Electricity Board
TANGEDCO
No.144, Anna Salai, Chennai - 2.
2. The Superintending Engineer
Operations & Maintenance
TANGEDCO,
Kallakurichi Electricity Distribution Circle,
Kallakurichi.
3. The Executive Engineer
Operations & Maintenance
TANGEDCO,
Kallakurichi Electricity Distribution Circle,
Kallakurichi.

+1cc to Mr.AR.M.Arunachalam, Advocate, S.R.No.46259

+1cc to Mr.L.Jaivenkatesh, Advocate, S.R.No.46326

W.P.No. 18287 of 2021

GJ(CO)
SU(27/09/2021)