



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:13.12.2021

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.NO.26330 OF 2021

AND

W.M.P.NO.27803 OF 2021

K.P.Mani

...Petitioner

Vs

1. The Superintending Engineer,
Tamil Nadu Generation and Distribution Corporation Ltd,
Thiruvannamalai EDC, Vengikkal,
Thiruvannamalai District.
2. The Executive Engineer/O & M,
Tamil Nadu Generation and Distribution Corporation Ltd,
Cheyyar,
Thiruvannamalai District.
3. The Assistant Engineer/O & M,
Tamil Nadu Generation and Distribution Corporation Ltd,
Cheyyar,
Thiruvannamalai District.
4. P.Ganesan

...Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 1 to 3 to include the petitioner's name in the electricity service connection in E.C.No.247-001-598 T.F.IV in Survey no.27/2 in Kallanipakkam Village, Cheyyar Taluk, Thiruvannamalai District along with the 4th Respondent's name within the time frame fixed by this Court.

For petitioner : Mr.K.Sasindran

For Respondents : Mr.L.Jaivenkatesh,
Standing counsel for R1 to R3.

: No Appearance for R4.



ORDER

The petitioner has filed this petition seeking issuance of a Writ of Mandamus, directing the respondents 1 to 3 to include the petitioner's name in the electricity service connection along with the 4th Respondent's name within the time frame fixed by this Court.

2. Since no adverse orders being passed against the 4th Respondent, notice to the 4th Respondent is dispensed with.

3. Mr. L. Jaivenkatesh, learned standing counsel for Respondents 1 to 3 takes notice for Respondents 1 to 3.

4. The case of the petitioner is that the petitioner and the 4th respondent herein are brothers whose agricultural lands are adjacent to each other wherein a well is situated in survey No.27/2 in which both the petitioner and the 4th respondent are having equal rights as per the sale deed. While being so, both the petitioner and the 4th respondent together applied for free agricultural electricity service connection for the said well, however, with the consent of the petitioner, the electricity service connection was effected to the well in the name of the 4th respondent and the same was used by both the petitioner and the 4th respondent for past thirty two years. Now, the 4th respondent is illegally obstructing the petitioner from using the said service connection for drawing water from the well without which the petitioner could not carry out his agricultural activities as the said connection stands in the name of the 4th respondent. Aggrieved, by the same, the petitioner made a representation to the respondents herein on 21.10.2021 to include petitioner's name in the aforesaid service connection, however, till date, no action has been taken on the same. Hence, the present Writ Petition is filed seeking the above relief.

5. Though very many grounds have been raised, the learned counsel for the petitioner submits that it would suffice if this Court issues direction to the respondents 1 to 3 to consider the petitioner's representation dated 21.10.2021 and pass orders on the same within a particular time frame fixed by this Court.

6. The learned standing counsel for the respondents has no serious objection to the said order being passed and submits that appropriate orders will be passed on the petitioner's representation in accordance with law, within a particular time frame fixed by this Court.



7. In view of the aforesaid submissions, this Court without going into the merits of the case, directing the Respondents 1 to 3 to consider the petitioner's representation dated 21.10.2021 and pass appropriate orders after affording opportunity to the 4th Respondent in accordance with law within a period of eight weeks from the date of receipt of a copy of this order. Accordingly, this Writ Petition is disposed of with the aforesaid direction. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS-V)

//True Copy//

Sub Assistant Registrar

NHS

To

1. The Superintending Engineer,
Tamil Nadu Generation and Distribution Corporation Ltd,
Thiruvannamalai EDC, Vengikkal,
Thiruvannamalai District.
2. The Executive Engineer/O & M,
Tamil Nadu Generation and Distribution Corporation Ltd,
Cheyyar,
Thiruvannamalai District.
3. The Assistant Engineer/O & M,
Tamil Nadu Generation and Distribution Corporation Ltd,
Cheyyar,
Thiruvannamalai District.

+1cc to M/s.K.Sasindran, Advocate, S.R.No.66355

+1cc to Mr.L.Jaivenkatesh, Advocate, S.R.No.66863

W.P.NO.26330 of 2021
and
W.M.P.No.27803 of 2021

SRA(CO)
RLP(12/01/2022)