



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.08.2021

CORAM

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.(MD)No.14169 of 2021

1. S.Mohan
2. Sangeetha

... Petitioners

Vs.

1.The Superintending Engineer,
Tamil Nadu Electricity Generation and
Distribution Corporation Ltd., (TANGEDCO),
Thanjavur.

2.The Assistant Engineer,
Operation and Maintenance,
Tamil Nadu Electricity Generation and
Distribution Corporation Ltd., (TANGEDCO),
Mariamman Kovil - 613 501,
Thanjavur District.

3.Adaikalaraj

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the second respondent to conduct enquiry based on the petitioner's representation dated 21.06.2021 and cancel the electricity connection given to the third respondent for the shed in S.No.483/4 of Thalavaipalayam Village, Papanasam Taluk, Thanjavur District within the time frame fixed by this Court.

For Petitioner	: Mr.M.Saravanan
For Respondent	: Ms.M.Rajeswari for M/s.S.M.S.Johnny Basha for R1 and R2

O R D E R

The petitioners seek a direction to the second respondent to conduct an inquiry based on his representation dated 21.06.2021 in connection with the cancellation of the electricity connection given to the third respondent for the shed in Survey No.483/4 of Thalavaipalayam Village, Papanasam Taluk, Thanjavur District.

2.The petitioners trace title to the property in question to a release deed dated 16.05.2007 and a subsequent settlement deed dated 15.12.2014. The patta issued in relation to such property in the name of the first petitioner is also cited to corroborate the petitioner's title and possession thereof. It is stated that the



third respondent was permitted to occupy a small portion and that by abusing such permissive occupation, the third respondent has obtained an electricity connection.

3.In these circumstances, the petitioner submitted a representation to the second respondent herein on 21.06.2021 and seeks an expeditious inquiry in relation thereto.

4.Ms.M.Rajeswari, learned Standing Counsel for the respondents 1 and 2 accepts notice on their behalf.

5.In view of the nature of the order proposed to be passed, notice to the third respondent is dispensed with.

6.The question as to whether the third respondent is entitled to an electricity connection should be determined by the second respondent by examining the relevant documents and by applying the rules and regulations thereto. The third respondent is also not before the Court at this point of time and, therefore, no view is expressed on the merits of the matter. Nevertheless, the second respondent should dispose of the petitioner's representation by conducting and concluding an inquiry expeditiously.

7.Accordingly, without going into the merits of the matter, the second respondent herein is directed to conduct and conclude an inquiry on the basis of the petitioner's representation dated 21.06.2021 by providing a reasonable opportunity to the petitioners, the third respondent herein and any other person who would be affected by the outcome of such inquiry. Such inquiry shall be concluded within a period of thirty (30) days from the date of receipt of a copy of this order.

8.W.P(MD).No.14169 of 2021 is disposed of on these terms without any order as to costs.

Sd/-

Assistant Registrar (T & P)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

To:

1.The Superintending Engineer,
Tamil Nadu Electricity Generation and
Distribution Corporation Ltd., (TANGEDCO),
Thanjavur.



2.The Assistant Engineer,
Operation and Maintenance,
Tamil Nadu Electricity Generation and
Distribution Corporation Ltd., (TANGEDCO),
Mariamman Kovil - 613 501,
Thanjavur District.

+1 CC to M/s.R.SUBRAMANIAN, Advocate (SR-26255[F] dated
13/08/2021)

+1 CC to M/s.GP (SR-26379[F] dated 16/08/2021)

W.P. (MD) No.14169 of 2021

12.08.2021

RS (20.09.2021) 3P 5C