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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.03.2022

CORAM

THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P. No.6768 of 2022

K.Periyasamy

...Petitioner

Vs

1.The Superintending Engineer,
Office of the Superintending Engineer,
Tamil Nadu Electricity Board,
Thiruvannamalai District.

2.The Assistant Executive Engineer,
Office of the Assistant Executive Engineer (O&M),
Nalvanpalayam,
Thiruvannamalai.

...Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for the issuance of Writ of Mandamus, directing the respondents to issued E.B. connection under the Revised Self Finance Scheme of Rs.25,000/- deposit in favour of the petitioner son's Ayyakannu, Chinnathambi, Kumar based on dated 01.09.2008 the petitioner applied application and on dated 25.10.2021 the petitioner seniority allotment No.127.

For Petitioner : Mr.V.Thiyagarajan

For Respondents : Ms.Keerthana Shenoi
for Mr.L.Jai Venkatesh
Standing Counsel

O R D E R

Ms.Keerthana Shenoi, learned counsel accepts notice for the respondents and is armed with full instructions enabling final disposal of this matter even at the stage of admission. Thus, by consent expressed, this writ petition is disposed finally even at this stage.



2.The petitioner seeks a mandamus directing the respondents, being officials of the Tamil Nadu Electricity Board, to issue a service connection under the revised Self Finance Scheme in favour of his sons by name Ayyakannu, Chinnathambi and Kumar. The petitioner had admittedly, applied for service connection as early as on 01.09.2008. His seniority allotment was 127 as on 25.10.2021.

3.Ms.Shenoi would agree that the application is under process. However, it appears that there has been an objection filed by certain third parties on 14.02.2022. The parties are not arrayed as respondents for the reason that they have approached the respondents direct, objecting to the grant of service connection.

4. The objection has been made on the basis of a civil suit in O.S.No.96 of 2020 between the parties, pending before the Sub Court, Tiruvannamalai. The petitioner has not thought it fit to disclose this fact in the writ petition and it would be appropriate had such disclosure has been made.

5.That apart, since the officials are now in receipt of the objection, it would be appropriate to direct them to consider the application of the petitioner combined with the objection placed on 14.02.2022 by the third parties, hear the petitioner and the third parties and take a decision on the petitioner's application for service connection, in accordance with law and all applicable rules and regulations. Let this process be done within a period of four (4) weeks from today.

6. This writ petition is disposed as above. No costs.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

vs

To

1.The Superintending Engineer,
Office of the Superintending Engineer,
Tamil Nadu Electricity Board,
Thiruvannamalai District.



2.The Assistant Executive Engineer,
Office of the Assistant Executive Engineer (O&M),
Nalvanpalayam,
Thiruvannamalai.

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+1cc to Mr.V.Thiyagarajan, Advocate, S.R.No.19947

+1cc to Mr.L.Jaivenkatesh, Advocate, S.R.No.20443

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GPL (CO)
RN (28/04/2022)