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W.P.No.8651 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 11.07.2022

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THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.No.8651 of 2022

A.Lilly Mary

.. Petitioner

Vs.

1.The Executive Engineer,
Tamil Nadu Electricity Board,
Pallikonda – 635 809.
Thirupathur.

2.The Assistant Executive Engineer,
Tamil Nadu Electricity Board,
Ambur – 635 802.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 29.09.2021 and issue the E.B. service connection in the petitioner's name.

For Petitioner : Mr.V.K.Sathiamurthy

For Respondents : Mr.L.Jai Venkatesh,
Standing Counsel [TNEB]



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ORDER

This Writ Petition has been filed for a Mandamus seeking for a direction to the respondents to consider the petitioner's representation dated 29.09.2021 and issue the E.B. service connection in her name within a time frame to be fixed by this Court.

2. The petitioner claims that she is the absolute owner of the property bearing Door No.7, Sadhu Chetty Lane, Ambur, Thirupathur District. According to her, the property is presently occupied by one M.Nagarajan. According to the petitioner, the assessment of the property tax has been wrongly issued in the name of Mr.M.Nagarajan without proper enquiry. It is also the contention of the petitioner that erroneously, the electricity service connection has also been granted in favour of Mr.M.Nagarajan. The petitioner has submitted an application on 29.09.2021 with the respondents, requesting them to transfer the electricity service connection in her name from the name of Mr.M.Nagarajan. Since the application has not been considered, the petitioner has filed this Writ Petition.



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3. Heard Mr.V.K.Sathiamurthy, learned counsel for the petitioner and Mr.L.Jai Venkatesh, learned standing counsel appearing for the respondents.

4. The petitioner has filed documents along with this Writ Petition in support of her contention that she is the absolute owner of the aforementioned property. The petitioner has also filed the proceedings of the Commissioner, Ambur Municipality dated 13.12.2017 under which, the request for change of revenue records in the name of the petitioner for the subject property has been ordered. A copy of the Municipal Tax receipt subsequent to the said order standing in the name of the petitioner has also been filed along with this Writ Petition.

5. No prejudice will be caused to the respondents if the petitioner's representation seeking for transfer of electricity service connection in her name, is considered on merits and in accordance with law, after affording a fair hearing to the petitioner and M.Nagarajan, who is presently in possession of the said property including, granting them the right of personal hearing.



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6. For the foregoing reasons, this Court directs the second respondent to pass final orders on the petitioner's representation dated 29.09.2021, seeking for transfer of electricity service connection in her name for the property bearing Door No.7, Sadhu Chetty Lane, Ambur, Thirupathur District, from the name of M.Nagarajan, within a period of eight (8) weeks from the date of receipt of a copy of this order, on merits and in accordance with law, after affording a fair hearing to the petitioner and M.Nagarajan including, granting them the right of personal hearing.

7. With the aforesaid directions, this Writ Petition is disposed of. No costs.

11.07.2022

Speaking/Non-speaking order

Index: Yes/No

Internet: Yes/No

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To

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Pallikonda – 635 809.
Thirupathur.
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ABDUL QUDDHOSE,J.

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