



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 15.06.2022

CORAM

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.No.14722 of 2022

A.Prakash

..Petitioner

-Vs-

Tamil Nadu Generation & Distribution
Corporation Ltd., (TANGEDCO) rep. By
The Superintending Engineer,
Basin Bridge, Turbine Station,
Anna Salai, Chennai - 600 002

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the respondent to renew and to execute a Deed of Licence for the Passage in Survey No.1758/1, Powder Mills Road, Puliyanthope, near Basin Bridge, Chennai in favour of the petitioner on the basis of Letter of requisition dated 21.01.2022 and 02.04.2022.

For Petitioner : Mr.L.Chandrakumar

For Respondents : Mr.Abul Kalam
Standing Counsel for TNEB

O R D E R

By consent of both the parties, this writ petition has been taken up for final disposal at the admission stage itself.

2. This writ petition has been filed for a Mandamus seeking for a direction to the respondent to renew the Deed of Licence in favour of the petitioner in respect of the passage in Survey No.1758/1, Powder Mills Road, Puliyanthope, near Basin Bridge, Chennai, based on the petitioner's representations dated 21.01.2022 and 02.04.2022 within a time frame to be fixed by this Court.



3. According to the petitioner, he has been granted licence by the respondent for the usage of the pathway in the above mentioned property and his licence had been renewed periodically. According to the petitioner, the existing licence had expired on 31.03.2022. He has given representations to the respondent on 21.01.2022 and 02.04.2022 seeking for renewal. Since the representations have not been considered till date, he had filed this writ petition.

4. Heard, Mr.L.Chandrakumar, learned counsel for the petitioner. Mr.Abul kalam, learned Standing Counsel for TNEB, accepts notice on behalf of the respondent.

5. No prejudice would be caused to the respondent, if the petitioner's application seeking for renewal of licence in respect of the above mentioned pathway is considered on merits and in accordance with law, after affording a fair hearing to the petitioner including granting him the right of personal hearing. The petitioner also claims that his licence was earlier periodically extended. He has also submitted that the pathway is the only access to his property.

6. For the forgoing reasons, this Court directs the respondent to consider the petitioner's representations dated 21.01.2022 and 02.04.2022 seeking for renewal of his licence for the usage of the passage in Survey No.1758/1, Powder Mills Road, Puliyanthope, near Basin Bridge, Chennai, and pass final orders on merits, after affording a fair hearing to the petitioner including granting him the right of personal hearing, within a period of eight weeks from the date of receipt of a copy of this order.

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

Sd/-
Assistant Registrar(CS-VII)

//True Copy//

Sub Assistant Registrar

vsi



To

The Superintending Engineer,
Tamil Nadu Generation & Distribution
Corporation Ltd., (TANGEDCO),
Basin Bridge, Turbine Station,
Anna Salai, Chennai - 600 002

+1cc to Mr.L.Chandrakumar, Advocate, S.R.No.36041

W.P.No.14722 of 2022

BR(CO)
UMA(24/06/2022)