

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.07.2022

CORAM:

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P.No.17158 of 2022
and
WMP No.16457 of 2022

S. Kavitha

...Petitioner

vs.

- 1.The Chairman cum Managing Director,
TANGEDCO,
144, Anna Salai,
Chennai - 600 002.
- 2.The Chief Engineer / Distribution,
TANGEDCO,
Kancheepuram region,
Kancheepuram.
- 3.The Executive Engineer,
Operation / Maintenance,
TANGEDCO,
Kancheepuram.
- 4.The Assistant Engineer,
Tamil Nadu Electricity Board (O & M),
Mangadu,
Kancheepuram District.

5.Sathish

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents No.1 to 4 to effect low tension service connection to the petitioner's home at first floor of the building situated in No.15/166, Balaji Nagar, 3rd Street, Seenivasapuram, Kolunthuvancherry Village, Kundrathur, Kanchipuram - 600 122 in the name of the petitioner based on the petitioner application dated 13.02.2022.

For petitioner : Mr.T. Ananthasekar
For respondents : Mr.L. Jaivenkatesh
TNEB for R1 to R4

ORDER

By consent of both parties, this Writ Petition is taken up for final disposal at the admission stage itself.

2. Mr.L. Jaivenkatesh, learned counsel accepts notice for the respondents 1 to 4.

3. This writ petition has been filed for a Mandamus seeking for a direction to the respondents 1 to 4 to effect low tension service connection to the petitioner's home at first floor of the building situated in No.15/166, Balaji Nagar, 3rd Street, Seenivasapuram, Kolunthuvancherry Village, Kundrathur, Kanchipuram - 600 122 in the name of the petitioner based on the petitioner's application dated 13.02.2022.

4. The petitioner claims that subsequent to the death of her mother, the petitioner is in possession and enjoyment of the first floor of the building. According to the petitioner, the 5th respondent is her brother and he is residing in the ground floor. The sale deed for the property stands in the name of her mother. Since the mother died, the petitioner and the 5th respondent, who are her legal heirs are the absolute owners. The petitioner has applied for electricity connection in respect of the first floor of the property in her name by an application dated 13.2.2022. Since, the 5th respondent is objecting to the grant of electricity service connection in favour of the petitioner, the respondents 1 to 4 are not processing the petitioner's application. In such circumstances, the petitioner has filed this writ petition.

5. Heard Mr.T. Ananthasekar, learned counsel for the petitioner and Mr.L.Jaivenkatesh, learned counsel for the respondents 1 to 4. Since no adverse orders are passed in this writ petition against the 5th respondent, notice to the 5th respondent is dispensed with.

6. No prejudice would be caused to the respondents, if the petitioner's application is considered on merits and in accordance with law after affording a fair hearing to the petitioner as well as the 5th respondent, who is her brother.

7. For the foregoing reasons, this Court directs the 4th respondent to pass final orders on the petitioner's application

dated 13.02.2022 seeking for electricity service connection in her property in the first floor of the building situated in No.15/166, Balaji Nagar, 3rd Street, Seenivasapuram, Kolunthuvancherry Village, Kundrathur, Kanchipuram - 600 122, within a period of eight weeks from the date of receipt of a copy of this order after affording a fair hearing to the petitioner and the 5th respondent including granting them the right of personal hearing.

8. With the aforesaid direction, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

vsi2

To

- 1.The Chairman cum Managing Director,
TANGEDCO,
144, Anna Salai,
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- 2.The Chief Engineer / Distribution,
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Kancheepuram.
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Operation / Maintenance,
TANGEDCO,
Kancheepuram.
- 4.The Assistant Engineer,
Tamil Nadu Electricity Board (O & M),
Mangadu,
Kancheepuram District.

+1cc to Mr.Anantha Sekar, Advocate SR. No. 44278
+1cc to Mr.L.Jaivenkatesh, Advocate SR. No. 43660

W.P.No.17158 of 2022

MG (CO)
PR (27/07/2022)